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FEDERAL REGISTER

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Codification Guide

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Announcement

CFR SUPPLEMENTS

(As of January 1, 1960)

The following Supplement is now available:

Titles 1–3, $1.25

Previously announced: Title 3 ($0.60); Titles 4–5 ($1.00); Title 7, Parts 1–50 ($0.45); Parts 51–52 ($0.45); Parts 53–209 ($0.40); Parts 210–399, Revised ($4.00); Parts 400–899, Revised ($5.50); Parts 900–959 ($1.50); Part 960 to End ($2.50); Title 8 ($0.40); Title 9 ($0.35); Titles 10–13 ($0.50); Title 14, Parts 1–39 ($0.65); Parts 40–399 ($0.75); Part 400 to End ($1.75); Title 15 ($1.25); Title 16, Revised ($6.50); Title 17 ($0.75); Title 18 ($0.55); Title 19 ($1.00); Title 20 ($1.25); Title 21 ($1.50); Titles 22–23 ($0.45); Title 24 ($0.45); Title 25 ($0.45); Title 26 (1939), Parts 1–79 ($0.40); Parts 80–169 ($0.35); Parts 170–182 ($0.35); Parts 300 to End ($0.40); Title 26, Part 1 (§§ 1.01–1.499) ($1.75); Parts 1 (§ 1.500 to End)–19 ($2.25); Parts 20–169 ($1.75); Parts 170–221 ($2.25); Parts 222–299 ($1.75); Part 300 to End ($1.25); Titles 28–29 ($1.75); Titles 30–31 ($0.50); Title 32, Parts 1–399 ($2.00); Parts 400–699 ($2.00); Parts 700–799 ($1.00); Parts 800–999, Revised ($3.75); Parts 1000–1099, Revised ($6.50); Part 1100 to End ($0.60); Title 32A ($0.65); Title 33 ($1.75); Title 35, Revised ($3.50); Title 36, Revised ($3.00); Title 37, Revised ($3.50); Title 38 ($1.00); Title 39 ($1.50); Titles 40–41, Revised ($0.70); Title 42, Revised ($4.00); Title 43 ($1.00); Title 44, Revised ($3.25); Title 45, Revised ($3.75); Title 46, Parts 1–145 ($1.00); Parts 146–149, Revised ($6.00); Parts 146–149 (1950 Supp. 1) ($0.55); Part 150 to End ($0.65); Title 47, Parts 1–29 ($1.00); Part 30 to End ($0.30); Title 49, Parts 1–70 ($1.75); Parts 71–90 ($1.00); Parts 91–164 ($0.45); Part 165 to End ($1.00); Title 50 ($0.70); General Index ($1.00).

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Rules and Regulations

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

PART 26—GRAIN STANDARDS

Fees and Charges

1. Section 26.74 of the regulations pursuant to sections 6 and 8 of the United States Grain Standards Act, as amended (7 U.S.C. 71 et seq.) is hereby revised to read as follows:

§ 26.74 Fees and charges.

The fee in an appeal or a dispute shall be fixed as follows:

(a) For bulk or sacked grain in carload lots, $9.00 per car;

(b) For bulk or sacked grain in trucks and trailers, $5.50 per truck or trailer lot;

(c) For bulk or sacked grain in boats, barges, or other vessels, $2.25 per thousand bushels or fraction thereof, with a minimum of $5.00 per lot;

(d) For a submitted sample or package of grain, $3.50 per sample or package;

(e) For all lots of grain other than those referred to in paragraphs (a), (b), (c), and (d) of this section, $2.25 per thousand bushels or fraction thereof, with a minimum fee of $5.00 per lot.

(f) Charges for overtime, night, or holiday work performed by employees of the Department on account of an appeal or a dispute shall be determined at the rate of $6.40 per manhour per employee and shall include the following: A minimum charge of two hours shall be made for an unscheduled overtime duty performed by an employee on a day when no work was scheduled for him or which is performed by an employee on his regular work day beginning either at least one hour before his scheduled tour of duty or at least one hour after he has completed his scheduled tour of duty, and has left his place of employment. In addition, each such period of unscheduled overtime work which requires an employee to perform additional travel for which he would otherwise not be compensated, and each period of holiday duty, may include a commuted travel time period, provided such commuted travel is performed solely on account of such overtime duty. The amount of this commuted travel time period, determined to be necessary to cover the time spent in reporting to and returning from the place at which the employee performs overtime duty, is hereby established as one hour. The charges for overtime shall be in addition to the fees prescribed in paragraphs (a) to (e) of this section, and shall be paid in all cases, whether the appeal be sustained or not sustained.

Notice of proposed rule making, public procedure thereon, and postponement of the effective time of this document later than September 1, 1960 (see sec. 4 of the Administrative Procedure Act: 5 U.S.C. 1001 et seq.) are impracticable, unnecessary, and contrary to the public interest for the reasons that: (1) Legislation provides for charging fees and Federal policy requires that fees charged shall as nearly as possible cover the cost of services rendered; (2) the cost of such service is peculiarly within the knowledge of the Department and the fees set forth herein are necessary to more nearly cover such cost, including but not limited to increased salaries to Federal employees, required by recent legislation; (3) it is imperative that the increase in fees become effective at the earliest practicable date; and (4) additional time is not required in order for the industry to make preparation for compliance with this amendment.

The foregoing schedule shall become effective at 12:01 a.m. September 1, 1960, with respect to all services thereafter rendered in connection with appeal inspections of grain under the provisions of section 6 of the United States Grain Standards Act, as amended (7 U.S.C. 71 et seq.).

(7 U.S.C. 84)

Done at Washington, D.C. this 24th day of August 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 60-8029; Filed, Aug. 29, 1960; 8:47 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Milk Order No. 2]

PART 902—MILK IN THE WASHINGTON, D.C., MARKETING AREA

Order Amending Order

§ 902.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Washington, D.C., marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary in the public interest to make this order amending the order effective not later than September 1, 1960.

The provisions of the said order are known to handlers. The recommended decision of the Administrator of the Agricultural Marketing Service was issued June 17, 1960, and the decision of the Assistant Secretary containing all amendment provisions of this order, was issued July 26, 1960. The changes effected by this order will not require extensive preparation or substantial alteration in method of operation for handlers. In view of the foregoing, it is hereby found and determined that good cause exists for making this order amending the order effective September 1, 1960, and that it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER. (Sec. 4(c), Administrative Procedure Act, 5 U.S.C. 1001 et seq.)

(c) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more

than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least two-thirds of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Washington, D.C., marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. In § 902.22, delete the word "10th" in paragraph (j)(2) and substitute therefor "11th".

2. In § 902.84, delete the word "11th" and substitute therefor "12th".

3. In § 902.85, delete the word "12th" and substitute therefor "13th".

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 24th day of August 1960, to be effective on and after the 1st day of September 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60–8027; Filed, Aug. 29, 1960; 8:47 a.m.]

[Milk Order No. 98]

PART 998—MILK IN THE CORPUS CHRISTI, TEXAS, MARKETING AREA

Order Amending Order

§ 998.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Corpus Christi, Texas, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

(2) The parity prices of milk, as determined pursuant to section 2 of the Act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest;

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Determinations.* It is hereby determined that:

(1) The refusal or failure of handlers (excluding cooperative associations specified in sec. 8c(9) of the Act) of more than 50 percent of the milk, which is marketed within the marketing area, to sign a proposed marketing agreement, tends to prevent the effectuation of the declared policy of the Act;

(2) The issuance of this order, amending the order, is the only practical means pursuant to the declared policy of the Act of advancing the interests of producers as defined in the order as hereby amended; and

(3) The issuance of the order amending the order is approved or favored by at least three-fourths of the producers who during the determined representative period were engaged in the production of milk for sale in the marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Corpus Christi, Texas, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

Amend § 998.15 to read as follows:

§ 998.15 Producer-handler.

"Producer-handler" means any person who (a) produces milk and also operates an approved plant; (b) receives no milk from other dairy farmers; and (c) provides proof satisfactory to the market administrator that the maintenance, care, and management of the dairy animals and other resources necessary to produce the milk, and the processing, packaging and distribution of the milk are the personal enterprise and the personal risk of such person.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Issued at Washington, D.C., this 24th day of August 1960, to be effective on and after the 1st day of October 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60–8028; Filed, Aug. 29, 1960; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60–LA–25]

PART 600—DESIGNATION OF FEDERAL AIRWAYS

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS AND POSITIVE CONTROL AREAS

PART 608—RESTRICTED AREAS

Revocation of Restricted Area; Modification of Federal Airways, Associated Control Areas and Control Area Extensions

The purpose of these amendments to Part 608 and §§ 601.1418, 601.1331, 601.1283, 600.6027 and 600.6204 of the regulations of the Administrator is to revoke the Olympic Peninsula, Wash., Restricted Area (R–241) (Seattle Chart), and to modify the description of the Hoquiam, Wash., Tacoma, Wash., and Toledo, Wash., control area extensions and VOR Federal airways Nos. 27 and 204.

The United States Department of the Air Force has stated that it no longer has a requirement for Restricted Area R–241. Therefore, this area is unjustified as an assignment of airspace and revocation thereof is in the public interest. Concurrent with this action, it will be necessary to delete all reference to Restricted Area R–241 in the description of the Hoquiam, Tacoma and Toledo control area extensions and Victor 27 and 204.

Since these amendments reduce a burden on the public, compliance with the notice, public procedure, and effective date requirements of section 4 of the Administrative Procedure Act is unnecessary, and they may be made effective immediately.

In consideration of the foregoing, the following actions are taken:

§ 608.55 [Amendment]

1. In § 608.55, the Olympic Peninsula, Wash., Restricted Area (R–241) (Seattle Chart) (23 F.R. 8589) is revoked.

§ 601.1418 [Amendment]

2. In the text of § 601.1418 (14 CFR 601.1418) "Warning Area W–460 and excluding the portion above 14,500 feet which lies beneath and conflicts with restricted area R–241" is deleted and "Warning Area W–460." is substituted therefor.

§ 601.1331 [Amendment]

3. In the text of § 601.1331 (14 CFR 601.1331) "excluding the portion above 14,500 feet MSL which lies within the geographic limits of the Olympic Peninsula Restricted Area (R–241) during the restricted area's time of designation; and" is deleted.

§ 601.1283 [Amendment]

4. In the text of § 601.1283 (14 CFR 601.1283) "25 miles west, excluding the portion which overlaps restricted areas" is deleted and "25 miles west." is substituted therefor.

§ 600.6027 [Amendment]

5. In the text of § 600.6027 (14 CFR 600.6027, 25 F.R. 108) "The portion of this airway above 14,500 feet mean sea level which lies within the geographic limits of the Olympic Restricted Area (R–241) is excluded during its designated time of use." is deleted.

6. The text of § 600.6204 (14 CFR 600.6204) is amended to read:

§ 600.6204 VOR Federal airway No. 204 (Hoquiam, Wash., to Olympia, Wash.).

From the Hoquiam, Wash., VOR to the Olympic, Wash., VOR.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 24, 1960.

E. R. QUSADA,
Administrator.

[F.R. Doc. 60–8015; Filed, Aug. 29, 1960; 8:45 a.m.]

[Airspace Docket No. 60–WA–65]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS AND POSITIVE CONTROL AREAS

Positive Control Areas

On May 26, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 4653) stating that the Federal Aviation Agency was considering an amendment to Part 601 of the regulations of the Administrator which would:

1. Change the caption to Part 601.

2. Modify Subpart A by adding:

(a) The phrase "positive control areas" in § 601.1.

(b) An explanation of the terms "positive control area" and "flight level" in § 601.2.

3. Add Subart J—Designated Positive Control Areas.

4. Add under Subpart J, § 601.9001 *Positive control areas* and § 601.9010 *Positive control area (Wilmington, Ohio)*.

Subsequent to publication of the notice, the Federal Aviation Agency has determined that a minor modification to the northern boundary of the Wilmington positive control area is necessary. This area will be reduced by approximately 138 square miles to avoid the Lockbourne AFB, Ohio, high altitude jet penetration procedures. Such action is taken herein.

No adverse comments were received regarding the proposed amendments.

However, the Air Transport Association, while concurring with the proposed action, suggested a revision to the definition of positive control area. This recommendation was to delete the phrase "within the continental control area" from the definition of positive control area. The ATA further stated that this recommendation was based upon their feeling that, in the future, the Administrator of the Federal Aviation Agency may wish to designate positive control areas in other portions of the airspace outside of the continental control area. The Federal Aviation Agency has the ATA recommendation under consideration. However, it is not considered appropriate or timely at present to change the positive control area definition as proposed in the notice. In light of the equipment requirements and techniques necessary for providing positive control on an area basis, it is deemed most feasible at present to contain positive control areas within the continental control area. Then, as previously stated by the Agency in the preamble to SR 424C (25 F.R. 7181), through a continuing evaluation and modification of procedures or operations, and in close coordination with all users, an orderly and practical expansion of the concept will be accomplished.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendments having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, Part 601 (14 CFR Part 601) is amended as follows:

I. Part 601 caption is amended to read as follows: Part 601—Designation of the Continental Control Area, Control Areas, Control Zones, Reporting Points, Positive Control Route Segments and Positive Control Areas.

II. In Subpart A—Introduction:

A. Section 601.1 *Basis and purpose* is amended to read as follows:

§ 601.1 Basis and purpose.

The basis of this part is found in sections 307 and 313 of the Federal Aviation Act of 1958, as amended, and Part 60 of this title. The purpose of this part is to designate the continental control area, control areas, control zones, reporting points, positive control route segments and positive control areas in order to provide for the safety of aircraft operating in interstate, overseas, and foreign air commerce.

§ 601.2 [Amendment]

B. In § 601.2 *Explanation of terms* the following is added:

(gg) "Positive control area" shall mean the airspace, within the continental control area, as designated in Subpart J of this part, within which air traffic is controlled in accordance with the provisions of Special Civil Air Regulation No. SR424–C of Part 60 of this title.

(hh) "Flight Level" shall mean a level of constant atmospheric pressure related to a reference datum of 29.92 inches of mercury expressed in three digits representing hundreds of feet. For example, flight level 250 is equivalent to an altimeter indication of 25,000 feet and flight level 265 to 26,500 feet.

III. Subpart J is added as follows:

Subpart J—Designated Positive Control Areas

§ 601.9001 Positive control areas.

Those areas with vertical and lateral dimensions designated by the Administrator within the continental control area wherein positive control of aircraft is exercised.

§ 601.9010 Positive control area (Wilmington, Ohio).

That airspace within the continental control area, from 24,000 feet MSL to flight level 600, adjacent to and east of the Wilmington, Ohio, Restricted Area (R–109) bounded by a line beginning at—

Lat. 39°30'00" N., long. 83°02'00" W., thence to lat. 39°25'00" N., long. 82°00'00" W., thence to lat. 38°48'30" N., long. 82°00'00" W., thence to lat. 38°48'30" N., long. 83°02'00" W., thence to point of beginning.

These amendments shall become effective 0001 e.s.t., October 15, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 24, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60–8012; Filed, Aug. 29, 1960; 8:45 a.m.]

[Airspace Docket No. 60–LA–74]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS AND POSITIVE CONTROL AREAS

Revocation of Control Area Extension

The purpose of this amendment to Part 601 of the regulations of the Administrator is to revoke the Santa Maria, Calif., control area extension (§ 601.1332).

This control area extension is now entirely encompassed by the Lompoc, Calif., control area extension (§ 601.1466, 25 F.R. 2098) and its designation is no longer required.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and it may be made effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to

me by the Administrator (24 F.R. 4530), the following action is taken:

In Part 601 (14 CFR Part 601), § 601.1332 *Control area extension (Santa Maria, Calif.)*, is revoked.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 24, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-8013; Filed, Aug. 29, 1960; 8:45 a.m.]

[Airspace Docket No. 60-FW-12]

PART 601—DESIGNATION OF THE CONTINENTAL CONTROL AREA, CONTROL AREAS, CONTROL ZONES, REPORTING POINTS, POSITIVE CONTROL ROUTE SEGMENTS AND POSITIVE CONTROL AREAS

Modification of Control Zone

On June 1, 1960, a notice of proposed rule making was published in the FEDERAL REGISTER (25 F.R. 4831) stating that the Federal Aviation Agency proposed to modify the Gulfport, Miss., control zone.

No adverse comments were received regarding the proposed amendments.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (24 F.R. 4530) and for the reasons stated in the notice, § 601.2344 (14 CFR 601.2344) is amended to read:

§ 601.2344 Gulfport, Miss., control zone.

Within a 5-mile radius of the geographical center of the Gulfport Municipal Airport (Lat. 30°24'25" N, Long. 89°04'20" W) and within 2 miles either side of the Gulfport VOR 325° True radial extending from the 5-mile radius zone to a point 12 miles NW of the Gulfport VOR, excluding the portion which coincides with the Biloxi, Miss., control zone (§ 601.2132).

This amendment shall become effective 0001 e.s.t., October 20, 1960.

(Secs. 307(a) and 313(a), 72 Stat. 749, 752; 49 U.S.C. 1348, 1354)

Issued in Washington, D.C., on August 23, 1960.

D. D. THOMAS,
Director, Bureau of Air Traffic Management.

[F.R. Doc. 60-8014; Filed, Aug. 29, 1960; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No. 21-328]

PART 152—HOSIERY INDUSTRY

Promulgation of Revised Trade Practice Rules

Due proceedings having been held under the trade practice conference procedure in pursuance of the Act of Congress approved September 26, 1914, as amended (Federal Trade Commission Act), and other provisions of law administered by the Commission:

It is now ordered, That the trade practice rules as hereinafter set forth, which have been approved by the Commission in this proceeding, be promulgated as of August 30, 1960.

Statement by the Commission. Amended trade practice rules for the Hosiery Industry, as hereinafter set forth, are promulgated by the Federal Trade Commission under the trade practice conference procedure. Such rules constitute a revision and extension of the trade practice rules for the Hosiery Industry promulgated by the Commission on May 15, 1941, and supersede the 1941 rules.

The industry for which these rules are established is composed of persons, firms, corporations, and organizations (including manufacturers, wholesalers, jobbers, importers, retailers, etc.) engaged in the sale, offering for sale, or distribution, in commerce, of hosiery for men, women and children, including all types and kinds of hose, stockings, socks, anklets, and other related products of the Hosiery Industry.

The rules are directed to the prevention and elimination of various unfair trade practices deemed to be violative of laws administered by the Commission. They are to be applied to such end and to the exclusion of any acts or practices which suppress competition or otherwise restrain trade.

Amendment of certain provisions of the 1941 trade practice rules for this industry is necessary because of the enactment of the Textile Fiber Products Identification Act which became effective on March 3, 1960. Other amendments of the rules have been effected so as to provide more adequate and definitive coverage of practices and variations of practices which have developed in the industry since promulgation of the 1941 rules. The proceedings to amend the rules were instituted pursuant to an industry application.

During the proceedings, proposed amended rules for the industry were published by the Commission and made available to all industry members and other interested or affected parties upon public notice whereby they were afforded opportunity to present their views, including such pertinent information, suggestions, or amendments as they desired to offer, and to be heard in the premises. Pursuant to such notice, two public hearings were held, the first on April 23, 1960 and the second on May 17, 1960. All matters then presented, or otherwise received in the proceeding, were duly considered.

Following such hearings, and upon full consideration of the entire matter, final action was taken by the Commission whereby it approved the rules as hereinafter set forth.

The rules as approved become operative thirty (30) days after the date of promulgation.

The rules. These rules promulgated by the Commission are designed to foster and promote the maintenance of fair competitive conditions in the interest of protecting industry, trade, and the public. It is to this end, and to the exclusion of any act or practice which fixes or controls prices through combination or agreement, or which unreasonably restrains trade or suppresses competition, or otherwise unlawfully injures, destroys, or prevents competition, that the rules are to be applied.

Group I. The unfair trade practices embraced in the Group I rules (§§ 152.1 to 152.14) herein are considered to be unfair methods of competition, unfair or deceptive acts or practices, or other illegal practices, prohibited under laws administered by the Federal Trade Commission; and appropriate proceedings in the public interest will be taken by the Commission to prevent the use, by any person, partnership, corporation, or other organization subject to its jurisdiction, of such unlawful practices in commerce.

Group II. Compliance with trade practice provisions embraced in Group II rules (§ 152.101) is considered to be conducive to sound business methods and is to be encouraged and promoted individually or through voluntary cooperation exercised in accordance with existing law. Nonobservance of such rules does not, per se, constitute violation of law. Where, however, the practice of not complying with any such Group II rules (§ 152.101) is followed in such manner as to result in unfair methods of competition, or unfair or deceptive acts or practices, corrective proceedings may be instituted by the Commission as in the case of violation of Group I rules (§§ 152.1 to 152.14).

NOTE: Nothing in these rules is to be construed as relieving anyone of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 or the requirements of the Textile Fiber Products Identification Act or with the rules and regulations issued under such Acts.

Sec.

Sec.
152.11 Exclusive deals.
152.12 Guarantees, warranties, etc.
152.13 Push money.
152.14 Prohibited discrimination.

GROUP II

152.101 Information as to treatment and care of products.

AUTHORITY: §§ 152.0 to 152.101 issued under sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45.

§ 152.0 Definitions.

As used in this part the terms "industry member" and "industry products" shall have the following meaning:

(a) *Industry member.* Any person, firm, corporation, or organization (including manufacturers, wholesalers, jobbers, importers, retailers, etc.) engaged in the sale, offering for sale, or distribution, in commerce, of industry products as defined below.

(b) *Industry products.* Hosiery for men, women and children, including all types and kinds of hose, stockings, socks, anklets, and other related products of the Hosiery Industry.

GROUP I

§ 152.1 Scope of rules; imports and exports.

(a) *Applicability.* Except where otherwise required by law, the rules in this part shall apply to all hosiery produced in the United States or offered for sale, sold or distributed in the American market.

(b) *Imports.* Imported hosiery is subject to the rules in this part (and the marking requirements herein specified) the same as domestic hosiery, irrespective of whether the hosiery was originally manufactured in the United States and exported and thereafter imported; or whether it was manufactured in a foreign country and imported from such foreign country or another country into the United States; or whether the hosiery, foreign or domestic, was introduced into the American market in any other way.

(c) *Exports.* Hosiery produced in the United States for export to a foreign country need not be marked in accordance with the requirements of the rules in this part, except:

(1) Where such hosiery, although intended for export, or actually exported, is subsequently offered for sale or sold for use, consumption or resale within the United States or place subject to its jurisdiction; or

(2) Where such hosiery manufactured in the United States for export, or sold for export, is marked, sold or exported in such manner or under such conditions as to involve fraud or deception, or an unfair method of competition against an American competitor engaged in export trade, or a matter otherwise contrary to the public policy of the United States; or

(3) Where required by the Wool Products Labeling Act or by other provisions of law. [Rule 1]

§ 152.2 Deception (general).

It is an unfair trade practice to sell, offer for sale, or distribute industry products by any method, or under any representation, description, circumstance or condition which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to the grade, character, construction, origin, denier, size, style, fashion, gauge, twist of yarn, quality, quantity, value, price, serviceability, resistance to snagging or the development of runs, holes or breaks in the fabric, strength, stretch, length, color, finish, manufacture, or distribution of any product of the industry or component part of such product, or in any other material respect. [Rule 2]

§ 152.3 "Lisle."

(a) It is an unfair trade practice to use the term "lisle" or word, term, or representation of similar import, as descriptive of hosiery or any part thereof, under any condition having the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers. For purposes of this section the term "lisle" as descriptive of hosiery, or part thereof, is considered as representing that such hosiery is made of yarn composed of two or more ply of combed long staple cotton fiber, the ply twist of which is not less than the turns per inch indicated in the following table:

Count	2-ply		3-ply		4-ply	
	Minimum twist	Approximate twist multiplier	Minimum twist	Approximate twist multiplier	Minimum twist	Approximate twist multiplier
30	16	4¼	13	4⅛	11	4
40	19	4¼	15	4⅛	13	4
50	21	4¼	17	4⅛	14	4
60	23	4¼	18	4⅛	15	4
70	25	4¼	20	4⅛	17	4
80	27	4¼	21	4⅛	18	4
90	28	4¼	23	4⅛	19	4
100	29	4¼	24	4⅛	20	4
120	31	4¼	26	4⅛	22	4
140 and higher	33	4¼	28	4⅛	24	4

NOTE: The minimum twist of intermediate counts not given should be in proportion to those given in the table. The average results of tests for number of turns of twist in a yarn shall be reported to the nearest whole number.

Yarns having more than 4 plies shall have not less than the number of turns given for the 4-ply yarn, minus 1 turn for each additional ply above 4; that is, for each additional ply above 4, 1 turn per inch may be deducted from the minimum number of turns given for the 4-ply yarn.

(b) The term "long staple cotton fiber" as used in this section is understood to mean cotton fiber which is not less than 1⅛" in length of staple: *Provided, however,* That nothing in this section shall be construed as prohibiting the use of cotton fiber which is not less than 1 1/16" in length of staple for the counts of 35 and less above referred to. [Rule 3]

§ 152.4 "Irregulars," or "seconds".

(a) It is an unfair trade practice to fail to disclose on industry products and in all advertising and promotional material relating thereto that such products are "irregulars" or "seconds," when such is the case.

(b) It is an unfair trade practice to cause any industry products to be falsely or deceptively marked, advertised, described or otherwise represented, either as not being or as being "irregulars" or "seconds," when such is not the fact.

(c) For the purpose of this section "irregulars" shall be considered as including all hosiery which is not of first quality but which contains only minor imperfections limited to irregularities in dimensions, size, color or knit, and without the presence of any obvious mends, runs, tears or breaks in the fabric or any substantial damage to the yarn or fabric itself. "Seconds" shall be considered as including all hosiery which is not of first quality, does not qualify as "irregulars" and which contains runs, obvious mends, irregularities, substantial imperfections, or defects in material, construction or finish.

(d) The marking of hosiery under this section shall be made in a conspicuous and non-deceptive manner with sufficient permanency or indelibility to carry through the channels of trade to the ultimate consumer in a clearly legible condition. The words "irregulars" or "seconds" as the case may be shall be set out distinctly by transfer or other marking on the fabric of each stocking, sock or other unit, whether sold in pairs, threes or otherwise. In addition, if the hosiery is packaged in any manner so as to conceal the disclosures required by this section then such disclosures shall also be made on such packaging in a conspicuous and non-deceptive manner. The required disclosures in advertising and other promotional material that industry products are "irregulars" or "seconds," must also be made in a conspicuous and non-deceptive manner. [Rule 4]

§ 152.5 Removal, obliteration, or alteration of marks.

It is an unfair trade practice for any manufacturer, converter, processor, dyer, finisher, distributor, dealer, importer or vendor, or person acting for or in collusion with any concern or vendor, (a) to remove, obliterate, deface, change, alter, conceal, or make illegible any information required by the rules in this part to be disclosed on industry products, without replacing the same before sale, resale or distribution for sale with a proper mark meeting the requirements of the rules in this part; or (b) to sell, resell, or distribute any industry product without its being marked and described in accordance with the requirements of the rules in this part.

NOTE: Hosiery which has been redyed shall be re-marked in accordance with the requirements of the rules in this part. Hosiery found to contain a false or deceptive mark, or a mark contrary to the requirements of the rules in this part, shall be re-marked in accordance with the rules in this part.

[Rule 5]

§ 152.6 Misrepresentation as to character of business.

It is an unfair trade practice for any member of the industry to represent, di-

rectly or indirectly, through the use of any word or term in his corporate or trade name, in his advertising or otherwise, that he is a manufacturer, producer, or importer of industry products, or that he is the owner or operator of a mill or factory manufacturing them, when such is not the fact, or in any other manner to misrepresent the character, extent, volume, or type of his business. [Rule 6]

§ 152.7 Deceptive price representations.

In the sale, offering for sale, or distribution of industry products, it is an unfair trade practice for an industry member to make any representation concerning the price at which an industry product is, or will be, offered for sale which has the capacity and tendency or effect of deceiving purchasers or prospective purchasers in any material respect; or to furnish any means or instrumentality by which others engaged in the sale of industry products may make any such representation.

NOTE: On October 2, 1958, the Commission adopted "Guides Against Deceptive Pricing"[1] Which appear in the October 15, 1958, issue of the FEDERAL REGISTER as a notice at pages 7965–7966 and which are set forth as an appendix to the rules in this part. They supply specific guidance respecting pricing representations (particularly regarding represented savings) and are to be considered as supplementing this section.

[Rule 7]

§ 152.8 Substitution of products.

It is an unfair trade practice for a member of the industry to make an unauthorized substitution of products, where such substitution has the capacity and tendency or effect of misleading or deceiving purchasers or prospective purchasers, by (a) shipping or delivering industry products which do not conform to samples submitted, to specifications upon which the sale is consummated, or to representations made prior to securing the order, without advising the purchaser of the substitution and obtaining his consent thereto prior to making shipment or delivery; or (b) falsely representing the reason for making a substitution. [Rule 8]

§ 152.9 Size markings and designations.[2]

In connection with the sale or offering for sale of industry products, it is an unfair trade practice:

(a) To mark or otherwise represent any industry product as being of a certain size which is not in fact the true and normal size thereof; or

(b) To alter the true and normal size of industry products by stretching or manipulation so as to deceive purchasers or prospective purchasers as to such size; or

(c) To fail to disclose on industry products the true and normal size thereof when the failure to make such disclosure has the capacity and tendency or effect of deceiving purchasers or prospective purchasers as to the size of such products.

NOTE: So-called "stretch" hose (which is represented as being suitable for more than one size foot) should be marked so as to clearly disclose the minimum and the maximum sizes for which such hose is in fact suitable, and the range should be limited to the sizes which such hose will comfortably fit without undue looseness or tension.

[Rule 9]

§ 152.10 Commercial bribery.

It is an unfair trade practice for a member of the industry, directly or indirectly, to give, or offer to give, or permit or cause to be given, money or anything of value to agents, employees, or representatives of customers or prospective customers, or to agents, employees, or representatives of competitors' customers or prospective customers, without the knowledge of their employers or principals, as an inducement to influence their employers or principals to purchase or contract to purchase products imported, manufactured, or sold by such industry member or the maker of such gift or offer, or to influence such employers or principals to refrain from dealing in the products of competitors or from dealing or contracting to deal with competitors. [Rule 10]

§ 152.11 Exclusive deals.

It is an unfair trade practice for any member of the industry to contract to sell or sell any industry product, or fix a price charged therefor, or discount from, or rebate upon, such price, on the condition, agreement, or understanding that the purchaser thereof shall not use or deal in the products of a competitor or competitors of such industry member, where the effect of such sale or contract for sale, or of such condition, agreement, or understanding, may be substantially to lessen competition or tend to create a monopoly in any line of commerce. [Rule 11]

§ 152.12 Guarantees, warranties, etc.

(a) It is an unfair trade practice to represent, in advertising or otherwise, that any industry product is "guaranteed" unless the nature and extent of such guarantee is conjunctively disclosed and without deceptively minimizing the terms and conditions relating to the obligations of the guarantor.

(b) It is also an unfair trade practice to use, or cause to be used, any guarantee in which the obligations of the guarantor are impracticable of fulfillment, or in respect to which the guarantor fails or refuses to observe his liabilities thereunder.

(c) This section shall be applicable not only to guarantees but also to warranties, to purported guarantees and warranties, and to any promise or representation in the nature of a guarantee or warranty.

NOTE: The "guarantees" and "warranties" to which this section relates do not include the "guaranty" provided for in the Wool Products Labeling Act of 1939, the Textile Fiber Products Identification Act, or in the rules and regulations issued under such Acts.

[Rule 12]

§ 152.13 Push money.

It is an unfair trade practice for any industry member to pay or contract to pay anything of value to a salesperson employed by a customer of the industry member as compensation for, or as an inducement to obtain, special or greater effort or service on the part of the salesperson in promoting the resale of products supplied by the industry member to the customer:

(a) When the agreement or understanding under which the payment or payments are made or are to be made is without the knowledge and consent of the salesperson's employer; or

(b) When the terms and conditions of the agreement or understanding are such that any benefit to the salesperson or customer is dependent on lottery or chance; or

(c) When any provision of the agreement or understanding requires or contemplates practices or a course of conduct unduly and intentionally hampering sales of products of competitors of an industry member; or

(d) When, because of the terms and conditions of the agreement or understanding, including its duration, or the attendant circumstances, the effect may be substantially to lessen competition or tend to create a monopoly; or

(e) When similar payments are not accorded to salespersons of competing customers on proportionally equal terms in compliance with sections 2(d) and (e) of the Clayton Act.

NOTE: Payments made by an industry member to a salesperson of a customer under an agreement or understanding that all or any part of such payments is to be transferred by the salesperson to the customer, or is to result in a corresponding decrease in the salesperson's salary, are not to be considered within the purview of this section, but are to be considered as subject to the requirements and provisions of section 2(a) of the Clayton Act.

[Rule 13]

§ 152.14 Prohibited discrimination.[3]

(a) Prohibited discriminatory prices, rebates, refunds, discounts, credits, etc., which effect unlawful price discrimination: It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to grant or allow, secretly or openly, directly or indirectly, any rebate, refund, discount, credit, or other form of price differential, where such rebate, refund, discount, credit, or other form of price differential, effects a discrimi-

[1] Copies available at the Federal Trade Commission.

[2] Commercial Standard CS 46–49, "Hosiery Lengths and Sizes" is recognized as a proper method to follow in determining measurements and sizes of hosiery.

[3] As used in this section, the word "commerce" means "trade or commerce among the several States and with foreign nations, or between the District of Columbia or any Territory of the United States and any State, Territory, or foreign nation, or between any insular possessions or other places under the jurisdiction of the United States, or between any such possession or place and any State or Territory of the United States or the District of Columbia or any foreign nation or within the District of Columbia or any Territory or any insular possession or other place under the jurisdiction of the United States."

nation in price between different purchasers of goods of like grade and quality, where either or any of the purchases involved therein are in commerce, and where the effect thereof may be substantially to lessen competition or tend to create a monopoly in any line of commerce, or to injure, destroy, or prevent competition with any person who either grants or knowingly receives the benefit of such discrimination, or with customers of either of them: *Provided, however,*

(1) That the goods involved in any such transaction are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use.

NOTE: *Purchases by the U.S. Government.* In an opinion submitted to the Secretary of War under date of December 26, 1936, the U.S. Attorney General advised that the Robinson-Patman Antidiscrimination Act "is not applicable to Government contracts for supplies." (38 Opinions, Attorney General 539.)

(2) That nothing contained in this paragraph shall prevent differentials which make only due allowance for differences in the cost of manufacture, sale, or delivery resulting from the differing methods or quantities in which such commodities are to such purchasers sold or delivered;

NOTE 1: *Cost justification to be based on net savings in cost of manufacture, sale or delivery.* Cost justification under subparagraph (2) of this paragraph depends upon net savings in cost based on all facts relevant to the transactions under the terms of such subparagraph. For example, if a seller regularly grants a discount based upon the purchase of a specified quantity by a single order for a single delivery, and this discount is justified by cost differences, it does not follow that the same discount can be cost justified if granted to a purchaser of the same quantity by multiple orders or for multiple deliveries.

NOTE 2: *Credit or refund for returned goods.* In determining whether a price differential based on cost savings under subparagraph (2) of this paragraph is warranted there shall be taken into account any portion of the goods involved which are returned by the customer-purchaser to the seller for credit or refund. See also paragraph (e) (2) of this section.

(3) That nothing contained in this section shall prevent persons engaged in selling goods, wares, or merchandise in commerce from selecting their own customers in bona fide transactions and not in restraint of trade;

(4) That nothing contained in this paragraph shall prevent price changes from time to time where made in response to changing conditions affecting the market for or the marketability of the goods concerned, such as but not limited to obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned;

(5) That nothing contained in this section shall prevent the meeting in good faith of an equally low price of a competitor.

NOTE 1: An industry member cannot justify a price differential under subparagraph (5) of this paragraph if his lowered price is part of his general pricing system and is not made in response to an individual competitive demand.

NOTE 2: Subsection (b) of Section 2 of the Clayton Act, as amended, reads as follows:

"Upon proof being made, at any hearing on a complaint under this section, that there has been discrimination in price or services or facilities furnished, the burden of rebutting the prima facie case thus made by showing justification shall be upon the person charged with a violation of this section, and unless justification shall be affirmatively shown, the Commission is authorized to issue an order terminating the discrimination; *Provided, however,* That nothing herein contained shall prevent a seller rebutting the prima facie case thus made by showing that his lower price or the furnishing of services or facilities to any purchaser or purchasers was made in good faith to meet an equally low price of a competitor, or the services or facilities furnished by a competitor."

NOTE 3: In complaint proceedings, justification of price differentials under subparagraphs (2), (4) and (5) of this paragraph is a matter of affirmative defense to be established by the person or concern charged with price discrimination.

(b) The following are examples of price differential practices to be considered as subject to the prohibitions of paragraph (a) of this section when involving goods of like grade and quality which are sold for use, consumption, or resale within any place under the jurisdiction of the United States, and which are not purchased by schools, colleges, universities, public libraries, churches, hospitals, and charitable institutions not operated for profit, as supplies for their own use,[4] and when:

(1) The commerce requirements specified in paragraph (a) of this section are present; and

(2) The price differential has a reasonable probability of substantially lessening competition or tending to create a monopoly in any line of commerce, or of injuring, destroying, or preventing competition with the industry member or with the customer receiving the benefit of the price differential, or with customers of either of them; and

(3) The price differential is not justified by cost savings (see paragraph (a) (2) of this section); and

(4) The price differential is not made in response to changing conditions affecting the market for or the marketability of the goods concerned (see paragraph (a) (4) of this section); and

(5) The lower price was not made to meet in good faith an equally low price of a competitor (see paragraph (a) (5) of this section):

Example No. 1. At the end of a given period an industry member grants a discount to a customer equivalent to a fixed percentage of the total of the customer's purchases during such period and fails to grant such discount to other customers under like conditions.

Example No. 2. An industry member sells goods to one or more of his customers at a higher price than he charges other customers for like merchandise. It is immaterial whether or not such discrimination is accomplished by misrepresentation as to the grade and quality of the products sold.

Example No. 3. Terms of 2/10th prox. are granted by an industry member to some customers on goods purchased by them from the industry member. Another customer or customers are, nevertheless, allowed to take a 5% instead of a 2% discount when making payment to the industry member within the time prescribed.

Example No. 4. An industry member sells goods to one or more of his customers at a lower price than he charges other customers therefor, basing his justification for the price difference solely on the fact that the goods sold at the lower price bear the private brand name of customers.

Example No. 5. An industry member invoices goods to all his customers at the same price but supplies additional quantities of such goods at no extra charge to one or more, but not to all, such customers; or supplies other goods or premiums to one or more, but not to all, such customers for which he makes no extra charge and which effects an actual price difference in favor of certain of his customers.

Example No. 6. An industry member sells goods to one or more of his customers at a higher price than he charges other customers for like merchandise. It is immaterial whether the goods sold at the lower price are classified by the industry member as "seconds," "secondary line," rejects," or are otherwise represented by the industry member as inferior, if the goods are in fact of like grade and quality as the goods sold at the higher price.

NOTE: As previously indicated, the foregoing are examples of practices to be considered violative of the prohibitions of paragraph (a) of this section when involving goods of like grade and quality and when not subject to the other exemptions, exclusions, or defenses set forth in this paragraph.

(c) Prohibited brokerage and commissions: It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid.

(d) Prohibited advertising or promotional allowances, etc.: It is an unfair trade practice for any member of the industry engaged in commerce to pay or contract for the payment of advertising or promotional allowances or any other thing of value to or for the benefit of a customer of such member in the course of such commerce as compensation or in consideration for any services or facilities furnished by or through such customer in connection with the processing, handling, sale, or offering for sale of any products or commodities manufactured, sold, or offered for sale by such member, unless such payment or consideration is available on proportionally equal terms to all other customers competing in the distribution of such products or commodities.

[4] See also Note under paragraph (a) (1) of this section.

NOTE 1: Industry members giving allowances for advertising or sales promotion must, in addition to according same to all competing customers on proportionally equal terms, exercise precaution and diligence in seeing that all such allowances are used by the customers for such purpose. Customers receiving such allowances must not use same for any other purpose.

When an allowance is made ostensibly for advertising or sales promotion of products and is not in fact used for that purpose the practice may constitute a price discrimination. In such case, the party giving the allowance may violate paragraph (a) of this section and the party receiving same may violate paragraph (f) of this section.

NOTE 2: When an industry member gives allowances to competing customers for advertising in a newspaper or periodical, the fact that a lower advertising rate for equivalent space is available to one or more, but not all, such customers, is not to be regarded by the industry member as warranting the retention by such customer or customers of any portion of the allowance for his or their personal use or benefit.

(e) Prohibited discriminatory services or facilities: It is an unfair trade practice for any member of the industry engaged in commerce to discriminate in favor of one purchaser against another purchaser or purchasers of a commodity bought for resale, with or without processing, by contracting to furnish or furnishing, or by contributing to the furnishing of, any services or facilities connected with the processing, handling, sale, or offering for sale of such commodity so purchased upon terms not accorded to all competing purchasers on proportionally equal terms.

NOTE 1: See subsection (b) of section 2 of the Clayton Act, as amended, which is set forth in paragraph (a) (5) Note No. 2 of this section.

NOTE 2: Among the practices inhibited by this paragraph is that of an industry member according to one or more customers the privilege of returning for credit or refund any or all of the goods purchased by them and failing to accord the same privilege to another or other competing customers on proportionally equal terms. In this connection see also paragraph (a) (2) Note No. 2 of this section.

NOTE: Paragraphs (d) and (e) of this section are based on subsections (d) and (e) of section 2 of the Clayton Act, as amended. The Commission, on May 19, 1960, adopted Guides relating to the requirements of these statutory subsections which are of value to members of the industry in avoiding violations of such requirements in giving or receiving promotional allowances, including advertising or special services for promoting the sale of industry products. Copies of these Guides will be mailed to industry members upon request.

(f) Inducing or receiving an illegal discrimination in price: It is an unfair trade practice for any member of the industry engaged in commerce, in the course of such commerce, knowingly to induce or receive a discrimination in price which is prohibited by provisions of this section.

NOTE: This section is based on the provisions of section 2 of the Clayton Act as amended by the Robinson-Patman Act.

[Rule 14]

§ 152.15 Aiding or abetting use of unfair trade practices.

It is an unfair trade practice for any person, firm or corporation to aid, abet, coerce, or induce another, directly or indirectly, to use or promote the use of any unfair trade practice specified in this part. [Rule 15]

GROUP II

§ 152.101 Information as to treatment and care of products.

The practice, by producers, manufacturers, distributors and vendors, of furnishing and disseminating, through tags, labels, advertisement, or other publicity, accurate information as to the proper treatment, care and washing of hosiery products is approved and recommended as a desirable practice to follow in the interest of enabling consumers to obtain and enjoy full benefit of the desirable qualities and service of such products.

NOTE: This section is not to be construed as relieving anyone of the necessity of complying with the requirements of the Wool Products Labeling Act of 1939 or the requirements of the Textile Fiber Products Identification Act or with the rules and regulations issued under such Acts.

[Rule A]

Issued: August 25, 1960.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F.R. Doc. 60-7998; Filed, Aug. 29, 1960; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

EXTENSION OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES; CORRECTION

The item "Boron" included in the list published in the FEDERAL REGISTER of August 4, 1960 (25 F.R. 7314) is changed to read as follows:

Product	Limits	Specified uses or restrictions
• • •	• • •	• • •
Boron (from sodium borate, boric acid)	0.134 milligram boron per day.	Do.
• • •		

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interpret or apply 72 Stat. 1788; 21 U.S.C., note under sec. 342)

Dated: August 19, 1960.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner of Food and Drugs.

[F.R. Doc. 60-8024; Filed, Aug. 29, 1960; 8:47 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER J—AIR FORCE PROCUREMENT INSTRUCTIONS

PART 1054—CONTRACT ADMINISTRATION

Miscellaneous Amendments

1. Instruction No. 4 (25 F.R. 7630, August 11, 1960) is amended to read: "4. Section 1054.306 is redesignated § 1054.304 and now reads as follows:".

2. Section 1054.1901 was omitted (25 F.R. 7638, August 11, 1960) and is added as follows:

§ 1054.1901 Applicability of subpart.

This subpart applies to the air materiel areas.

(Sec. 8012, 70A Stat. 488; 10 U.S.C. 8012)

R. J. PUGH,
Colonel, U.S. Air Force, Deputy Director of Administrative Services.

[F.R. Doc. 60-8011; Filed, Aug. 29, 1960; 8:45 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 2—DELEGATIONS OF AUTHORITY

Issuance of Subpenas and Paid Advertising

1. In § 2.1, paragraph (b) is amended to read as follows:

§ 2.1 Delegation of authority to employees to issue subpenas, etc.

• • • • • •

(b) Designated positions: Assistant Administrator for Appraisal; Director, Investigation Service; Managers of district offices, regional offices, and centers having district office and/or regional office activities.

• • • • • •

2. Section 2.4 is revised to read as follows:

§ 2.4 Delegation of authority to order paid advertising for use in recruitment for competitive service positions.

Paid advertisements may be used in recruitment for competitive service positions to the extent authorized by Civil Service Commission instructions. Authority to order such advertising is hereby delegated to the Chief Benefits Director, Chief Insurance Director, Chief Medical Director, Area Medical Directors, and the Assistant Administrator for Personnel, pursuant to 5 U.S.C. 22a. Field station Managers are delegated authority, pursuant to 5 U.S.C. 22a, to order such advertising in media having only local circulation. Department of Insurance and Department of Veterans Benefits field station Managers must se-

cure prior approval of their respective department heads, and Department of Medicine and Surgery field station Managers must secure prior approval of the appropriate Area Medical Director, to order such advertising in media having national circulation. Department heads will establish such control over the exercise of this authority by subordinate officials as necessary to insure conformance with applicable instructions, regulations and statutory requirements. The authority delegated in this section may not be redelegated.

(72 Stat. 1114; 38 U.S.C. 210)

These regulations are effective August 30, 1960.

[SEAL] BRADFORD MORSE,
Deputy Administrator.

[F.R. Doc. 60-8043; Filed, Aug. 29, 1960; 8:49 a.m.]

PART 13—DEPARTMENT OF VETERANS BENEFITS, CHIEF ATTORNEYS

Miscellaneous Amendments

1. Sections 13.200, 13.211, 13.222, 13.233, 13.235, 13.236, 13.238, 13.245, 13.251, 13.263, 13.266, 13.267, 13.268, 13.270, 13.271, 13.274, 13.275, 13.277, 13.282, 13.290, 13.291, 13.293, 13.294, 13.295, 13.296, 13.300, 13.301, 13.305, 13.310, 13.311, 13.313, 13.314, 13.315, 13.316, 13.317, 13.320, 13.321, 13.322, 13.324, 13.325, 13.326, 13.327, 13.328, 13.330, 13.331, 13.332, 13.333, 13.334, 13.339, 13.340, 13.343, 13.344, 13.347, 13.348, 13.352, 13.355, 13.363, 13.365, 13.366, 13.367, 13.368 and 13.369 are revoked.

2. The centerheads "Recognition of Legal Custodian, Appointment of a Guardian for a Minor or Mentally Incompetent Beneficiary, and the Making of Institutional Awards", "Commitment of Mentally Incompetent Beneficiaries, Appointment of Guardians for Incompetent and Minor Beneficiaries, and Payment of Expenses in Connection with Such Appointment", "Supervision of Custodians, Guardians, etc. and Chief Officers of Institutions", "Removal of Legal Custodians", "Removal and Discharge of Guardians" and "Legal Services (Other than Guardianship)" immediately preceeding §§ 13.200, 13.223, 13.282, 13.355, 13.363 and 13.400 respectively are hereby deleted.

3. Sections 13.100 through 13.111 are added as follows:

§ 13.100 Supervision of fiduciaries.

(a) In any case where a fiduciary fails to render a satisfactory account or has collected or paid, or is attempting to collect or pay, fees, commissions, or allowances that are illegal or inequitable or in excess of those allowed by law, or has failed to use Veterans Administration funds for the benefit of the ward or his dependents, or has otherwise failed or neglected to properly execute the duties of his trust, the Chief Attorney may have all Veterans Administration payments suspended. The Chief Attorney may appear in the court of appointment or in any court having original, concurrent, or appellate jurisdiction, and make proper presentation relating to the foregoing matters. His authority includes but is not limited to:

(1) Petitioning the court to cite a guardian to account;

(2) Filing exceptions to accountings;

(3) Requiring guardians to file bonds or make any necessary adjustments;

(4) Requiring investments;

(5) Filing petitions to vacate or modify court orders;

(6) Appearing or intervening in any State court as attorney for the Administrator of Veterans Affairs in litigation instituted by the Administrator or otherwise affecting money paid to such fiduciary by the Veterans Administration;

(7) Incurring necessary court costs and other expenses, including witness fees, appeal bonds, advertising in any newspaper or other publication, preparing briefs or transcripts, purchase of records of trial or other records;

(8) Instituting any other action necessary to secure proper administration of the estate of a Veterans Administration beneficiary, such as filing petitions for the removal of guardians, removal of legal custodians, and certifying successor fiduciaries;

(9) Taking appropriate action to recover funds improperly disbursed.

(b) Unless a trial is de novo, no appeal shall be taken to an appellate court and no costs incurred in connection therewith without the prior approval of the Chief Benefits Director or his designee.

(c) When the evidence shows a prima facie case of misappropriation, embezzlement or violation of the Federal statutes, the Chief Attorney shall refer the case to the United States Attorney.

§ 13.101 Management and use of estates of minors.

Veterans Administration benefits payable in behalf of minors should be used for their exclusive benefit. Such funds should be expended only to the extent the person or persons responsible for their needs are unable to provide for them, except those derived from payments under 38 U.S.C. Ch. 35.

§ 13.102 Annual report of custodian.

(a) A written annual report from the legal custodian will be required. Such report will be secured by the Chief Attorney of the regional office in whose area the custodian resides and will contain a statement showing the facts establishing the continuance of the custodianship, and, in addition, will set forth the total amount received, disbursed, balance on hand, and bond, if any.

(b) In cases where income or total estate is a factor in benefit entitlement, a report shall be obtained annually from the legal custodian setting forth the ward's income for the preceding year; the corpus of the estate at the end of that year and the estimate for the then current year of the total income he expects to receive and any expected increase of the corpus of the estate. A revised report must be promptly filed whenever there is a material change in the estimated annual income or in the corpus of the estate.

(c) Annual accounts will not be required, in the discretion of the Chief Attorney, (1) when the custodian and beneficiary permanently reside in a jurisdiction other than a State of the United States, the District of Columbia, Puerto Rico or the Republic of the Philippines, or (2) when the total estate is less than $200 and monthly payments do not exceed $15.

§ 13.103 Investments by legal custodians.

The Chief Attorney will instruct legal custodians to invest all funds received from the Veterans Administration not needed for the current or contemplated support of the beneficiary in United States savings bonds. To avoid necessity for a corporate surety, bonds should be registered only in this form:

(Ward's name), a minor, under custodianship by designation of the Veterans Administration. (Ward's address).

The Chief Attorney will not object to investment of surplus funds by a legal custodian in interest or dividend paying accounts in State or federally insured banks, building and loan associations, or savings and loan associations. In such cases, when a corporate surety bond would otherwise be required by Veterans Administration regulations, the legal custodian may be authorized, in lieu of furnishing such bond, to make arrangements with the bank, building and loan association, or savings and loan association, whereby the funds so invested may be withdrawn only with the written approval of the Chief Attorney.

§ 13.104 Accounts of guardians.

(a) Where the State laws permit, accountings will be required at least once a year and arrangements will be made with the courts whereby notices of filing of all petitions, accounts, etc., and of hearings on same, relative to guardianship cases wherein the Veterans Administration is interested, will be sent to the Chief Attorney. If this is done, the court will be notified in due time whether the Veterans Administration has any objections to offer.

(b) In cases of corporate fiduciaries, annual accounts may be waived and accounts called for in accordance with State laws.

(c) Annual accounts will not be required, in the discretion of the Chief Attorney, in cases (1) when the fiduciary and ward reside in and the appointment is made in a foreign country, except the Republic of the Philippines and the Commonwealth of Puerto Rico, or (2) when the total estate is less than $200 and monthly payments do not exceed $15.

(d) In cases where income or total estate is a factor in benefit entitlement, a report shall be obtained annually setting forth the ward's income for the preceding year; the corpus of his estate at the end of that year and the estimate for the then current year for the total income he expects to receive and any increase of the corpus of the estate. A revised report must be promptly filed whenever there is a material change in the estimated annual income or a change in the corpus of the estate.

§ 13.105 Surety bonds.

(a) It is the policy of the Veterans Administration to require, where possible under State laws and rules of the court, corporate surety bonds in all guardianship cases where the fiduciary is an individual and the estate is sufficient to justify the expense of procuring a corporate surety bond. Corporate bonds may be required of corporate fiduciaries in accordance with State laws. In cases wherein guardians neglect or refuse to furnish corporate bonds, as requested by the Chief Attorney, the Chief Attorney may decline to continue or open payments to such guardians and take necessary court action.

(b) The Chief Attorney is authorized to accept bonds with at least two personal sureties upon receipt of evidence that each such surety owns real property, over and above all liens, exemptions, and encumbrances, at least equal in value to the penal sum of the bond and qualifies in accordance with the requirements of the State law, where it is not practical or feasible for a fiduciary to obtain a corporate bond. In such instances the fiduciary will be required to furnish with each accounting evidence as to the financial status of the personal sureties. Where any question arises as to the ability of such personal sureties to meet any probable liability, the Chief Attorney will investigate their responsibility. Where such responsibility is found to be insufficient, the Chief Attorney will promptly authorize suspension of payments until sureties of sufficient financial responsibility have been provided.

(c) Additional or increased bonds will be required at each accounting period commensurate with the value of the estate. The Chief Attorney will take court action, if necessary, to assure that an adequate bond with good surety or sureties is in effect.

(d) If any surety company is placed in receivership or ceases to do business in the particular State, the Chief Attorney will take the necessary action to have proper bonds substituted in each case. In the case of receivership, bankruptcy, or other proceedings to conserve the assets, or wind up the affairs of a corporate surety, the Chief Attorney will ascertain the termination date for filing claims with local and general receivers or other designated officials and see that all adjudicated and contingent claims are filed in time to receive proper classification and allowances.

(e) The Chief Attorney shall require a corporate surety bond in custodianship cases where the amount in the estate for one or more wards exceeds $500, unless the provisions of § 13.103 are in effect.

§ 13.106 Investments by court-appointed fiduciaries.

(a) The Chief Attorney will recommend investments in United States Government bonds. He will insist that funds held by court-appointed fiduciaries be invested in accordance with State law. If requested, he will inform the fiduciary as to legal investments under appropriate State law.

(b) No preference shall be given to any bond dealer, or investment broker, nor any recommendation made with reference thereto.

(c) The Chief Attorney will advise fiduciaries or the courts with respect to any known doubtful or undesirable characteristics of any legal investment which might jeopardize the safety of the beneficiary's estate.

(d) The Chief Attorney will require the investment of surplus funds and shall obtain from the fiduciary, preferably prior to investment, evidence identifying the type of investment. If the investment is not proper or legal, or not for the best interests of the beneficiary, the Chief Attorney will so advise the fiduciary and take the necessary action, under the State law, to prevent or object to the investment.

§ 13.107 Accounts of Chief Officers of private or State hospitals.

(a) The Chief Officer of an institution, other than a Federal institution, shall render an account annually to the Veterans Administration for funds received from the Veterans Administration on account of an incompetent beneficiary. The Chief Attorney will require an accounting annually of such institutions for such funds only, and may assign Veterans Administration personnel to assist in the rendition of such accountings.

(b) The Chief Attorney shall obtain annually from the Chief Officers of the aforementioned institutions a statement of all of the income received for the current year and the total assets held for account of the incompetent.

§ 13.108 Estate $1,500; incompetent veteran, without wife or minor or helpless children, hospitalized by the United States or a political subdivision thereof.

(a) Where an incompetent veteran, without wife or minor or helpless children, is hospitalized in a public institution other than a Veterans Administration institution or has a fiduciary and is hospitalized in a Veterans Administration institution, and his estate equals or exceeds $1,500, the Chief Attorney shall immediately notify the adjudication activity so that payments, other than insurance, may be discontinued. In those cases in which the payment has been discontinued, the Chief Attorney shall, when such estate has been reduced to $500, immediately notify the adjudication activity of that fact.

(b) In any case in which a veteran, without wife or child, is hospitalized by the United States or a political subdivision thereof and his award of compensation, pension or emergency officers' retirement pay has been discontinued because his estate equals or exceeds $1,500, an apportionment of the award otherwise payable may nevertheless be made to a dependent parent, if any, based upon actual need as determined by the Chief Attorney. So much of any monthly remainder of the discontinued payments as equals the amount charged to the veteran for his current care and maintenance in the institution in which treatment or care is furnished, but not more than the amount determined by the Chief Attorney to be the proper charge as fixed by statute or valid administrative regulation, may be paid to the institution. The Chief Attorney shall recommend to the adjudication activity the amount of either award.

(c) In the event of the incompetent veteran's death in other than a Veterans Administration institution, the Chief Attorney should make certain that the provisions of the pertinent laws are applied as to the gratuitous benefits in Personal Funds of Patients.

§ 13.109 Report of income and assets.

(a) *Valuation of estate.* Except as stated in subparagraph (4) of this paragraph, all funds, including accumulated social security and amounts on deposit in Funds Due Incompetent Beneficiaries and to the veteran's credit in Personal Funds of Patients at Veterans Administration regional offices, hospitals, State institutions, hospitals or institutions of any nature whatsoever, as well as other property, both personal and real (which is capable of being liquidated), and interest therein owned by the veteran, will be included in arriving at the value of the veteran's estate.

(1) The value of real and personal property, including any interest therein, will be established at the estimated net price the veteran's equity in the property will bring at forced sale after payment of all costs incident to liquidation.

(2) United States savings bonds, war bonds, adjusted service bonds, and other appreciation bonds, the current value, including accrued interest, will be used.

(3) Bonds and stocks, the current price listed on recognized stock exchange or by over-the-counter dealers will be the value to be used. In the absence of either, other reliable evidence of value may be used.

(4) The following will not be included as assets:

(i) Adjusted service certificate.

(ii) Insurance policy having cash surrender or loan value.

(iii) Dividend credits on National Service life insurance and United States Government life insurance policies.

(iv) Personal property, such as furniture and household equipment, working tools, livestock and jewelry, which are included under State exemption statutes.

NOTE: Cash in the estate will be considered, notwithstanding it was derived from any of the above excluded items.

§ 13.110 Escheat; post fund.

In the event of the death of the beneficiary under guardianship, the Chief Attorney will secure from the guardian a final account showing the amount, if any, of funds held by the guardian derived from payment of benefits under laws administered by the Veterans Administration for the purpose of determining the amount of any funds which may escheat to the United States pursuant to 38 U.S.C. 3202(e), or which may vest in the General Post Fund pursuant to 38 U.S.C. 5220(a). The Chief Attorney will ascertain whether administration will be had on the estate of the deceased beneficiary and, also, whether there are any heirs capable of inheriting. If there are no such heirs, he will report the fact to the appropriate adjudication activity and,

in the case of an institutional award, to the Chief Officer of the institution. In such cases the Chief Attorney will endeavor to effect the return of the estate in the hands of the particular fiduciary to the United States, in connection with the final accounting of the fiduciary, or in any manner which may be possible under local procedure and practice, without litigation. If unsuccessful in this effort, a complete report will be submitted to the General Counsel.

§ 13.111 Claims of creditors.

Under 38 U.S.C. 3101(a), payments made to or on account of a beneficiary under any of the laws relating to veterans are exempt, either before or after receipt by the beneficiary, from the claims of creditors and State and local taxation. The fiduciary should invoke this defense where applicable. If he does not do so, the Chief Attorney will raise the issue by a proper plea unless the amount involved is inconsequential, or if he deems it inequitable. The Chief Attorney will protect the record for possible appeal.

4. Sections 13.400, 13.401 and 13.402 are revised to read as follows:

§ 13.400 Legal services (other than guardianship) by Chief Attorneys.

The Chief Attorney, as an employee of the Department of Veterans Benefits, is the legal adviser to the Manager of the office to which assigned and may render other legal services as prescribed by Veterans Administration regulations. He is further authorized to render legal advice, oral or written, and formal legal opinions to Managers of regional offices, centers, hospitals, domiciliaries, or district offices within the territory allocated to the regional office, on matters as to which there is a governing Veterans Administration issue or opinion of the General Counsel, or of a predecessor. If no applicable governing Veterans Administration issue or opinion of the General Counsel, or of a predecessor, be available, the Chief Attorney may prepare a tentative opinion or submit the question, through channels, for consideration of the General Counsel. (See §§ 13.401 and 13.402.)

§ 13.401 Legal advice or assistance on general law, State law, real and personal property law, guaranty or insurance of loans, personnel, fiscal matters, etc.

Written or oral requests for legal advice or assistance from the appropriate Chief Attorney are authorized to be made by Managers of hospitals, domiciliaries, district or regional offices, and by chiefs of divisions, provided, however, the inquiry shall be in writing, if the Chief Attorney so requests. Except as to questions of State law, the Chief Attorney will confine his advice and opinions to matters covered by Veterans Administration precedents and opinions of the General Counsel, or his predecessors, will be governed thereby, and will not go beyond the scope thereof. Subject to the stated exceptions, if no applicable opinion or precedent is found, a Chief Attorney may prepare a tentative opinion and forward a copy thereof, through the Manager of the station, requesting advice, to the Chief Benefits Director, the Chief Insurance Director, or the Chief Medical Director, as may be appropriate, which official will be responsible for forwarding it to the General Counsel for review. If approved by the General Counsel, the opinion will be returned through the same channels and may be released; otherwise, appropriate opinion will be prepared by the General Counsel, addressed to the staff officer concerned or to the Administrator if requiring his consideration. No such tentative opinion will be released or acted upon unless approved by the General Counsel. In lieu of preparing such tentative opinion, the Chief Attorney, in his discretion, is authorized to submit the question, through the same channels, for consideration of the General Counsel, with appropriate comments and citations of statutes or cases readily accessible to the Chief Attorney. The above does not apply to advice and opinions involving litigation, tort claims or emergency situations in which direct contact with the General Counsel's office is necessary.

§ 13.402 Domestic relations questions, restoration to rolls, and conflict of laws.

(a) Subject to the provisions of paragraph (b), (c) and (d) of this section, the Chief Attorney is authorized to prepare and release legal opinions on all questions submitted relating to the validity and legal effect of marriages, ceremonial or otherwise, divorces, annulments (void or voidable), ostensible marriages and remarriages, adoptions and legitimacy.

(b) In the following instances the Chief Attorney may refer the request to the General Counsel, through channels, or shall prepare a tentative opinion, forwarding same for consideration of the General Counsel as provided in § 14.501 (b) of this chapter:

(1) Issues as to discontinuing gratuity payments by reason of ostensible marriage or remarriage.

(2) Where there is doubt as to whether the remarriage of the widow was void.

(3) Cases involving domestic relations in which there are contesting claims.

(4) Conflict of law questions arising from the entry of inconsistent judgments in two or more jurisdictions.

(5) Unusual situations involving the law of two or more jurisdictions, or of a foreign country.

(6) Cases involving difference of opinions between Chief Attorneys.

(c) Veterans Administration determinations of validity of marriage for the purposes of §§ 3.49 and 4.64 of this chapter will be based on the entire record, including evidence of conduct and reputation and applicable presumptions, as well as any available public records. Recognition of the finality ordinarily attaching to court decrees as determinative of status will not preclude independent determination respecting eligibility under Federal law. A "void marriage" is a purported marriage which, under the law of the applicable jurisdiction, and notwithstanding the form of marriage, is not a valid marriage. A "voidable marriage" is one which comes into existence under circumstances that entitle one of the parties to disavow the contract for cause recognized under the law of the applicable jurisdiction, but which, in the absence of formal disavowal and decree of annulment, continues in the status of valid marriage.

(d) The Chief Attorney will forward to the General Counsel, without opinion, questions relating to the resumption of benefits in the following types of annulment cases:

(1) Where the remarriage of a widow was voidable and a decree of annulment was received by the Veterans Administration on or before December 31, 1957.

(2) Where the marriage of a child was void or voidable.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective August 30, 1960.

[SEAL] BRADFORD MORSE,
Deputy Administrator.

[F.R. Doc. 60-8042; Filed, Aug. 29, 1960; 8:49 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2193]

[1249795]

ALASKA

Revoking Executive Order No. 4592 of February 21, 1927, Affecting Lands at Curry

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Executive Order No. 4592 of February 21, 1927, which was revoked in part by Public Land Order No. 720 of May 15, 1951, is hereby revoked in its entirety. The lands affected by this revocation are described as follows:

Beginning at a point six miles due north of the Government hotel at Curry, Alaska, thence east one mile, thence south seven miles, thence west two miles, thence north seven miles, thence east one mile to the place of beginning.

The tract described contains approximately 8,960 acres.

2. Of the lands described, approximately 2,400 acres in the southerly portion are withdrawn by Executive Order No. 2578 of April 4, 1917, which withdrew lands for the Alaska Railroad and Public Land Order No. 669 of September 1, 1950, which withdrew lands for use of the Alaska Railroad for recreational purposes and for the protection of hydroelectric power facilities.

3. The vacant public lands, aggregating 6,560 acres, are isolated from access from the Alaska Railroad by the Susitna River. The river at this point is broad and cannot be forded by usual means. There are no roads in the area and few trails. The area contains no lakes suitable for float-plane landing. The land

is rough and rises sharply from an elevation of approximately 500 feet at the river to known elevations of 2,700 feet or more. The winter climate in this area is severe and of long duration. The snow blanket accumulates to an excessive depth. Much of the area is heavily vegetated with spruce, birch, aspen and related types. The land is nonagricultural and has no known recreational values of significance.

4. In accordance with and subject to the provisions of the Act of July 28, 1956 (70 Stat. 709; 48 U.S.C. 46–3b), and section 6(g) of the Alaska Statehood Act of July 7, 1958 (72 Stat. 339), the State of Alaska shall be entitled until 10:00 a.m. on November 22, 1960, to a preferred right to select the lands.

5. Subject to valid existing rights, to preference rights conferred by existing laws, to equitable claims subject to allowance and confirmation, and to the State's preference right of selection, the vacant public lands shall at 10:00 a.m. on November 22, 1960, be open to settlement and to filing of such applications, selections, and locations under the nonmineral public land laws as are allowable on unsurveyed lands.

a. Applications filed at or before 10:00 a.m. on November 22, 1960, shall be considered as simultaneously filed at that time. Those received thereafter will be considered in the order of filing.

6. The lands will be open to applications and offers under the mineral leasing laws and to location under the United States mining laws beginning at 10:00 a.m. on November 22, 1960.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Anchorage, Alaska.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 24, 1960.

[F.R. Doc. 60-8020; Filed, Aug. 29, 1960; 8:46 a.m.]

[Public Land Order 2194]

[1433125]

NEVADA

Partly Revoking Reclamation Withdrawal Orders (Colorado River Storage Project)

By virtue of the authority contained in section 3 of the act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The departmental orders of October 16, 1931, and October 23, 1936, reserving lands for reclamation purposes in connection with the Colorado River Storage Project, are hereby revoked so far as they affect the following-described lands:

MOUNT DIABLO MERIDIAN

T. 33 S., R. 65 E.,
Secs. 1, 2, 3, 10, 11, 12, and 13;
Secs. 15 and 22;
Secs. 24 to 27, incl.;
Secs. 34, 35, and 36.
T. 32 S., R. 65 E.,
E½ of Township.
T. 32 S., R. 66 E.,
Secs. 19 and 20.

The areas described aggregate approximately 19,050 acres.

2. The land is in Clark County, about 75 miles southeast of Las Vegas. Vegetation consists of yucca, burrsage, galleta grass and Joshua trees.

3. Subject to any valid existing rights and the requirements of applicable law, the lands are hereby opened to filing of applications, selections and locations under the public land laws except the Small Tract Act in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager named below, beginning on the date of this order. Such applications, selections and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on September 29, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections and offers filed after that hour will be governed by the time of filing.

4. The lands shall be open to location under the United States mining laws at 10:00 a.m. on September 29, 1960.

5. Sections 1, 12, 13, 24, and 25 of T. 33 S., R. 65 E., and E½ of sec. 21, T. 32 S., R. 66 E., were segregated from all forms of entry under the public land laws of the United States pursuant to section 2 of the Act of April 22, 1960 (74 Stat. 74) by an order of the Director of the Bureau of Land Management dated May 11, 1960 (25 F.R. 4397). These lands are not, therefore, subject to the opening provisions of this order. In addition, all public lands in Clark County are closed to filings under the Small Tract Act. Any such applications will be returned to the applicant without further action.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Reno, Nevada.

ROGER ERNST,
Assistant Secretary of the Interior.

AUGUST 24, 1960.

[F.R. Doc. 60-8021; Filed, Aug. 29, 1960; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 29]

FIRE-CURED TOBACCO

Standard Grades

Notice is hereby given that the United States Department of Agriculture is considering a modification, as hereinafter proposed, of Official Standard Grades for Fire-cured Tobacco, U.S. Types 22 and 23, pursuant to the authority contained in The Tobacco Inspection Act (49 Stat. 731; 7 U.S.C. 511 et seq.).

This proposed modification will apply only to Types 22 and 23 tobaccos. It will supersede Official Standard Grades for Fire-cured Tobacco, U.S. Types 22, 23, and 24 (7 CFR §§ 29.201–29.282). Official standard grades for Type 21 have been heretofore modified (7 CFR §§ 29.2251–29.2432). This proposal will revoke the official standard grades for Type 24 fire-cured tobacco which is extinct.

These modified standards for Types 22 and 23 fire-cured tobaccos are basically the same as those under §§ 29.201–29.282. They present a slight change in format and terminology to conform with the standard grades for all U.S. tobacco types. This proposal (1) indicates Short Leaf or Tip grades by a size instead of a separate group; (2) adds, deletes, and clarifies some definitions and rules; (3) deletes grades that do not appear in sufficient volume to justify their use; (4) designates the combination color symbol VF for greenish, medium-brown tobacco of the third, fourth, and fifth qualities of B, C, and X groups; (5) treats Nondescript and Scrap as standard groups; and (6) incorporates an elements of quality table, a U.S. standard tobacco 4-inch sizes chart, a summary of standard grades, and a key to standard grademarks.

All persons who desire to submit written data, views, or arguments for consideration in connection with this proposed modification of Types 22 and 23 official standard grades should file the same with the Director, Tobacco Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than 15 days after publication of this notice in the FEDERAL REGISTER.

The proposal is as follows:

1. Under Subpart C delete "Official Standard Grades for Fire-cured Tobacco (U.S. Types 21, 22, 23, and 24)" and §§ 29.201–29.282 inclusive and substitute therefor immediately after § 29.2432 the following:

OFFICIAL STANDARD GRADES FOR FIRE-CURED TOBACCO (U.S. TYPES 22 AND 23)

DEFINITIONS

ELEMENTS OF QUALITY

SIZES

RULES

GRADES

SUMMARY OF STANDARD GRADES

KEY TO STANDARD GRADEMARKS

DEFINITIONS

§ 29.2501 Definitions.

As used in these standards, the words and phrases hereinafter defined shall have the indicated meanings so assigned.

§ 29.2502 Air-dried.

The condition of unfermented tobacco as customarily prepared for storage under natural atmospheric conditions.

§ 29.2503 Body.

The thickness and density of a leaf or the weight per unit of surface. (See Elements of Quality.)

§ 29.2504 Brown colors.

A group of colors ranging from a reddish brown to yellowish brown. These colors vary from low to medium saturation and from very low to medium brilliance. As used in these standards, the range is expressed as light brown (L), medium brown (F), and dark brown (D).

§ 29.2505 Class.

A major division of tobacco based on method of cure or principal usage.

§ 29.2506 Clean.

Tobacco is described as clean when it contains only a normal amount of sand

or soil particles. Leaves grown on the lower portion of the stalk normally contain more dirt or sand than those from higher stock positions. (See rule 4.)

§ 29.2507 Color.

The third factor of a grade based on the relative hues, saturation or chroma, and color values common to the type.

§ 29.2508 Color intensity.

The varying degree of saturation or chroma. Color intensity as applied to tobacco describes the strength or weakness of a specific color or hue. It is applicable to all colors except greenish and green. (See Elements of Quality.)

§ 29.2509 Color symbols.

As applied to Types 22 and 23, Fire-cured tobacco, single color symbols are L—light brown, F—medium brown, D—dark brown, M—mixed, and G—green.

§ 29.2510 Combination color symbol.

In Types 22 and 23, the combination color symbol VF designates greenish, medium-brown tobacco. (See rule 18.)

§ 29.2511 Condition.

The state of tobacco which results from the method of preparation or from the degree of fermentation. Words used to describe the condition of tobacco are: Undried, air-dried, steam-dried, sweating, sweated, and aged.

§ 29.2512 Crude.

A subdegree of maturity. Crude leaves are usually hard and slick as a result of extreme immaturity. A similar condition may result from firekill, sunburn, or sunscald. Any leaf which is crude to the extent of 20 percent or more of its leaf surface may be described as crude. (See rule 20.)

§ 29.2513 Cured.

Tobacco dried of its sap by either natural or artificial processes.

§ 29.2514 Damage.

The effect of mold, must, rot, black rot, or other fungus or bacterial diseases which attack tobacco in its cured state. Tobacco having the odor of mold, must, or rot is considered damaged. (See rule 21.)

§ 29.2515 Dirty.

The state of tobacco containing an abnormal amount of dirt or sand, or tobacco to which additional quantities of dirt or sand have been added. (See rule 23.)

§ 29.2516 Elasticity.

The flexible, springy nature of the tobacco leaf to recover approximately its original size and shape after it has been stretched. (See Elements of Quality.)

§ 29.2517 Elements of quality.

Elements of quality and the degrees used in the specifications of the official standard grades of Fire-cured, Types 22 and 23, are shown in § 29.2601. Words have been selected to describe the degrees of each element. Some of the words are almost synonymous in their meaning; yet, they are sufficiently different to represent steps within the range of the elements of quality to which they are applied.

§ 29.2518 Fiber.

The term applied to the veins in a tobacco leaf. The large central vein is called the midrib or stem. The smaller lateral and cross veins are considered from the standpoint of size and color. In some types fiber size and fiber color are treated as elements of quality. In Fire-cured they are not of great importance, except where a fine distinction must be made between several lots of high quality or between sides of the same lot.

§ 29.2519 Finish.

The reflectance factor in color perception. Finish indicates the sheen or shine of the surface of a tobacco leaf. Descriptive terms range from dull to bright. (See Elements of Quality.)

§ 29.2520 Fire-cured.

Tobacco cured under artificial atmospheric conditions by the use of open fires from which the smoke and fumes of burning wood are partly absorbed by the tobacco.

§ 29.2521 Foreign matter.

Any extraneous substance or material such as stalks, suckers, straw, strings, and rubber bands. Abnormal amounts of dirt or sand also are included. (See rules 23.)

§ 29.2522 Form.

The stage of preparation of tobacco such as unstemmed or stemmed.

§ 29.2523 Grade.

A subdivision of a type according to group, quality, and color.

§ 29.2524 Grademark.

A grademark normally consists of three symbols which indicate group, quality, and color. A letter is used to indicate group, a number to indicate quality, and a letter or letters to indicate color. For example, B3D means Heavy Leaf, third quality, and dark brown color.

§ 29.2525 Green (G).

A color term applied to immature or crude tobacco. Any leaf which has a green color affecting 20 percent or more of its leaf surface may be described as green. (See rule 19.)

§ 29.2526 Greenish.

A color term applied to greenish-tinged tobacco. Any leaf which has a greenish tinge or a pale green color affecting 20 percent or more of its leaf surface may be described as greenish. (See rule 18.)

§ 29.2527 Group.

A division of a type covering closely related grades based on certain characteristics which are related to stalk position, body, or the general quality of the tobacco. Groups in Fire-cured, Types 22 and 23, are: Wrappers (A), Heavy Leaf (B), Thin Leaf (C), Lugs (X), Nondescript (N), and Scrap (S).

§ 29.2528 Injury.

Hurt or impairment from any cause except the fungus or bacterial diseases which attack tobacco in its cured state. (See definition of Damage, § 29.2514.) Injury to tobacco may be caused by field diseases, insects, or weather conditions; insecticides, fungicides, or cell growth inhibitors; nutritional deficiencies or excesses; or improper fertilizing, harvesting, curing, or handling. Injured tobacco includes dead, burned, hail-cut, torn, broken, frostbitten, sunburned, sunscalded, scorched, fire-killed, bulk-burnt, steam-burnt, barn-burnt, house-burnt, bleached, bruised, discolored, or deformed leaves; or tobacco affected by wildfire, rust, frogeye, mosaic, root rot, wilt, black shank, or other diseases. (See rule 15.)

§ 29.2529 Leaf scrap.

A byproduct of unstemmed tobacco. Leaf scrap results from handling unstemmed tobacco and consists of loose and tangled whole or broken leaves.

§ 29.2530 Leaf structure.

The cell development of a leaf as indicated by its porosity. The degrees range from close (slick and tight) to open (porous). (See Elements of Quality.)

§ 29.2531 Leaf surface.

The roughness or smoothness of the web or lamina of a tobacco leaf. Leaf surface is affected to some extent by the size and shrinkage of the veins or fibers. (See Elements of Quality.)

§ 29.2532 Length.

The linear measurement of cured tobacco leaves from the butt of the midrib to the extreme tip. (See U.S. Standard Tobacco Sizes.)

§ 29.2533 Lot.

A pile, basket, bulk, or more than one bale, case, hogshead, tierce, package, or other definite package unit.

§ 29.2534 Maturity.

The degree of ripeness. Tobacco is mature when it reaches its prime state of development. The extremes are expressed as immature and mellow. (See Elements of Quality.)

§ 29.2535 Mixed color (M).

Distinctly different colors of the type mingled together. (See rule 17.)

§ 29.2536 Nested.

Any tobacco which has been loaded, packed, or arranged to conceal foreign matter or tobacco of inferior grade, quality, or condition. Nested includes: (a) Any lot of tobacco which contains foreign matter or damaged, injured, tangled, or other inferior tobacco, any of which cannot be readily detected upon inspection because of the way the lot is packed or arranged; (b) any lot of tied tobacco which contains foreign matter in the inner portions of the hands or which contains foreign matter in the heads under the tie leaves; (c) any lot of tied tobacco in which the leaves on the outside of the hands are placed or arranged to conceal inferior quality leaves on the inside of the hands or

which contains wet tobacco or tobacco of lower quality in the heads under the tie leaves; and (d) any lot of tobacco which consists of distinctly different grades, qualities, or conditions and which is stacked or arranged in layers with the same kinds together so that the tobacco in the lower layer or layers is distinctly inferior in grade, quality, or condition from the tobacco in the top or upper layers. (See rule 23.)

§ 29.2537 No grade.

A designation applied to a lot of tobacco classified as nested, offtype, rework, or semicured, tobacco that is damaged 20 percent or more, abnormally dirty, extremely wet or watered, contains foreign matter, or has an odor foreign to the type. (See rule 23.)

§ 29.2538 Offtype.

Tobacco of distinctly different characteristics which cannot be classified as Fire-cured, Types 22 and 23. (See rule 23.)

§ 29.2539 Order (case).

The state of tobacco with respect to its moisture content.

§ 29.2540 Package.

A hogshead, tierce, case, bale, or other securely enclosed parcel or bundle.

§ 29.2541 Packing.

A lot of tobacco consisting of a number of packages submitted as one definite unit for sampling or inspecting. It is represented to contain the same kind of tobacco and has a common identification number or mark on each package.

§ 29.2542 Quality.

A division of a group or the second factor of a grade based on the relative degree of one or more elements of quality in tobacco.

§ 29.2543 Raw.

Freshly harvested tobacco or tobacco as it appears between the time of harvesting and the beginning of the curing process.

§ 29.2544 Resweated.

The condition of tobacco which has passed through a second fermentation under abnormally high temperatures or refermented with a relatively high percentage of moisture. Resweated includes tobacco which has been dipped or reconditioned after its first fermentation and put through a forced or artificial sweat.

§ 29.2545 Rework.

Any lot of tobacco which needs to be resorted or otherwise reworked to prepare it properly for market in the manner which is customary in the type area, including: (a) Tobacco which is so mixed that it cannot be classified properly in any grade of the type, because the lot contains a substantial quantity of two or more distinctly different grades which should be separated by sorting; (b) tobacco which contains an abnormally large quantity of foreign matter or an unusual number of muddy or extremely dirty leaves which should be removed; and (c) tobacco not tied in hands, not packed straight, not properly tied, or otherwise not properly prepared for market. (See rule 23.)

§ 29.2546 Semicured.

Tobacco in the process of being cured or which is partially but not thoroughly cured. Semicured includes tobacco which contains fat stems, wet butts, swelled stems, frozen tobacco, and tobacco having frozen stems or stems that have not been thoroughly dried in the curing process. (See rule 23.)

§ 29.2547 Side.

A certain phase of quality, color, or length as contrasted with some other phase of quality, color, or length; or any peculiar characteristic of tobacco.

§ 29.2548 Size.

The length of tobacco leaves. (See U.S. Standard Tobacco Sizes.)

§ 29.2549 Sound.

Free of damage.

§ 29.2550 Special factor.

A symbol or term authorized to be used with specified grades. Tobacco to which a special factor is applied may meet the general specifications but has a peculiar side or characteristic which tends to modify the grade. (See rule 10.)

§ 29.2551 Steam-dried.

The condition of unfermented tobacco as customarily prepared for storage by means of a redrying machine or other steam-conditioning equipment.

§ 29.2552 Stem.

The midrib or large central vein of a tobacco leaf.

§ 29.2553 Stemmed.

A form of tobacco, including strips and strip scrap, from which the stems or midribs have been removed.

§ 29.2554 Strength.

The stress a tobacco leaf can bear without tearing. (See Elements of Quality.)

§ 29.2555 Strips.

The sides of a tobacco leaf from which the stem has been removed or a lot of tobacco composed of strips.

§ 29.2556 Subgrade.

Any grade modified by a special factor symbol.

§ 29.2557 Sweated.

The condition of tobacco which has passed through one or more fermentations natural to tobacco packed with a normal percentage of moisture. This condition is sometimes described as aged.

§ 29.2558 Sweating.

The condition of tobacco in the process of fermentation.

§ 29.2559 Tobacco.

Tobacco as it appears between the time it is cured and stripped from the stalk, or primed and cured, and the time it enters into the different manufacturing processes. The acts of stemming, sweating, and conditioning are not regarded as manufacturing processes. Tobacco, as used in these standards, does not include manufactured or semimanufactured products, stems, cuttings, clippings, trimmings, siftings, or dust.

§ 29.2560 Tobacco products.

Manufactured tobacco, including cigarettes, cigars, smoking tobacco, chewing tobacco, and snuff, which is subject to Internal Revenue tax.

§ 29.2561 Type.

A division of a class of tobacco having certain common characteristics and closely related grades. Tobacco which has the same characteristics and corresponding qualities, colors, and lengths is classified as one type, regardless of any factors of historical or geographical nature which cannot be determined by an examination of the tobacco.

§ 29.2562 Type 22.

That type of fire-cured tobacco, known as Eastern District Fire-cured, produced principally in a section east of the Tennessee River in southern Kentucky and northern Tennessee.

§ 29.2563 Type 23.

That type of fire-cured tobacco, known as Western District Fire-cured or Dark-fired, produced principally in a section west of the Tennessee River in Kentucky and extending into Tennessee.

§ 29.2564 Undried.

The condition of unfermented tobacco which has not been air-dried or steam-dried.

§ 29.2565 Uniformity.

An element of quality which describes the consistency of a lot of tobacco as it is prepared for market. Uniformity is expressed in grade specifications as a percentage. The percentage is applicable to group, quality, and color. (See rule 14.)

§ 29.2566 Unsound (U).

Damaged under 20 percent. (See rule 21.)

§ 29.2567 Unstemmed.

A form of tobacco, including whole leaf and leaf scrap, from which the stems or midribs have not been removed.

§ 29.2568 Variegated.

Any leaf of which 20 percent or more of its leaf surface is off brown, grayish, mottled, or bleached and does not blend with the normal colors of the type or group. (See rules 16 and 17.)

§ 29.2569 Wet (W).

Any sound tobacco containing excessive moisture to the extent that it is in unsafe or doubtful-keeping order. Wet applies to any tobacco which is not damaged but which is likely to damage if treated in the customary manner. (See rule 22.) (For extremely wet or watered tobacco see rule 23.)

§ 29.2570 Width.

The relative breadth of a tobacco leaf expressed in relation to its length. (See Elements of Quality.)

ELEMENTS OF QUALITY

§ 29.2601 Elements of quality and degrees of each element.

These standardized words or terms are used to describe tobacco quality and to assist in interpreting grade specifications. Tobacco attributes or characteristics which constitute quality are designated as elements of quality. The range within each element is expressed by the use of words or terms designated as degrees. These several degrees are arranged to show their relative value, but the actual value of each degree varies with type, group, and grade. In each case the first and last degrees represent the full range for the element.

Elements	Degrees				
1 Body		Thin	Medium	Heavy	
2 Maturity	Immature	Underripe	Mature	Ripe	Mellow.
3 Leaf structure		Close	Firm	Open	
4 Leaf surface		Rough	Crepy	Smooth	
5 Elasticity		Inelastic	Semielastic	Elastic	
6 Strength		Weak	Normal	Strong	
7 Finish		Dull	Clear	Bright	
8 Color intensity		Pale	Moderate	Deep	
9 Width		Narrow	Normal	Spready	
10 Uniformity		(1)	(1)	(1)	
11 Injury tolerance		(1)	(1)	(1)	

[1] Expressed in percentage.

SIZES

§ 29.2606 U.S. standard tobacco 4-inch sizes.[1]

Inches	U.S. size	Approximate centimeters
32		80
28	47	70
24	46	60
20	45	50
16	44	40
12	43	30
8	42	20
4	41	10
0	40	0

RULES

§ 29.2616 Rules.

The application of these official standard grades shall be in accordance with the following rules:

§ 29.2617 Rule 1.

Each grade shall be treated as a subdivision of a particular type. When the grade is stated in an inspection certificate, the type also shall be stated.

§ 29.2618 Rule 2.

The determination of a grade shall be based upon a thorough examination of a lot of tobacco or of an official sample of the lot.

§ 29.2619 Rule 3.

In drawing an official sample from a hogshead or other package of tobacco, three or more breaks shall be made at such points and in such manner as the inspector or sampler may find necessary to determine the kinds of tobacco and the percentage of each kind contained in the lot. One break shall be made not more than six inches from the top of the package and one not more than six inches from the bottom. All breaks shall be made so that the tobacco contained in the center of the package is visible to the sampler. Tobacco shall be drawn from at least three breaks from which a representative sample of not less than six hands shall be selected. The sample shall include tobacco of each different group, quality, color, length, and kind found in the lot in proportion to the quantities of each contained in the lot.

§ 29.2620 Rule 4.

All standard grades must be clean.

§ 29.2621 Rule 5.

The grade assigned to any lot of tobacco shall be a true representation of the tobacco at the time of inspection and certification. If, at any time, it is found that a lot of tobacco does not comply with the specifications of the grade previously assigned it shall not thereafter be represented as such grade.

§ 29.2622 Rule 6.

A lot of tobacco on the marginal line between two colors shall be placed in the color with which it best corresponds with respect to body or other associated elements of quality.

§ 29.2623 Rule 7.

Any lot of tobacco which meets the specifications of two grades shall be placed in the higher grade. Any lot of tobacco on the marginal line between two grades shall be placed in the lower grade.

§ 29.2624 Rule 8.

A lot of tobacco meets the specifications of a grade when it is not lower in any degree of any element of quality than the minimum specifications of such grade.

§ 29.2625 Rule 9.

In determining the grade of a lot of tobacco, the lot as a whole shall be considered. Minor irregularities which do not affect over one percent of the tobacco shall be overlooked.

§ 29.2626 Rule 10.

Any special factor approved by the Director of the Tobacco Division, Agricultural Marketing Service, may be used after a grademark to show a peculiar side or characteristic of the tobacco which tends to modify the grade.

§ 29.2627 Rule 11.

Interpretations, the use of specifications, and the meaning of terms shall be in accordance with determinations or clarifications made by the Chief of the Standards Branch and approved by the Director.

§ 29.2628 Rule 12.

The use of any grade may be restricted by the Director during any marketing season, when it is found that the grade is not needed or appears in insufficient volume to justify its use.

§ 29.2629 Rule 13.

Length shall be stated in connection with each grade of the A, B, and C groups and may be stated in connection with the grades of other groups. For this purpose, the regular 4-inch series of U.S. standard tobacco sizes shall be used.

§ 29.2630 Rule 14.

Degrees of uniformity shall be expressed in terms of percentages. The percentages shall govern the portion of a lot which must meet the specifications of the grade. The minor portion must be closely related but may be of a different group, quality, and color from the major portion. These percentages shall not affect limitations established by other rules.

§ 29.2631 Rule 15.

The application of injury as an element of quality shall be expressed in terms of a percentage of tolerance. The appraisal of injury shall be based upon the percentage of affected leaf surface or the degree of injury. In appraising injury, consideration shall be given to the normal characteristics of the group as related to injury.

§ 29.2632 Rule 16.

Any lot of tobacco containing over 30 percent of variegated leaves shall be described as "variegated" and designated by the color symbol "M." Variegated leaves may be included in any group to the following extent: In the third quality, 10 percent; in the fourth quality, 20 percent; and in the fifth quality, 30 percent.

§ 29.2633 Rule 17.

Any lot of tobacco of the B, C, or X groups which contains 30 percent or more of a color distinctly different from the major color shall be classified as "mixed" and designated by the color symbol "M."

§ 29.2634 Rule 18.

Any lot of tobacco containing 20 percent or more of greenish leaves or any lot which contains 20 percent of greenish and green leaves combined shall be designated by the combination color symbol "VF."

§ 29.2635 Rule 19.

Any lot of tobacco containing 20 percent or more of green leaves or any lot which is not crude but contains 20 percent or more of green and crude com-

[1] Regular 4-inch sizes are used to state length when this factor is not sufficiently important to use 1- or 2-inch sizes. Seventy-five percent of the leaves in a lot or package of any 4-inch size must fall within the range for that size. For example: If a lot or package of tobacco is represented to be of U.S. size 44, then 75 percent of the leaves of such lot or package must be between 16 and 20 inches (or 40 and 50 centimeters) in length.

bined shall be designated by the color symbol "G."

§ 29.2636 Rule 20.

Crude leaves shall not be included in any grade of any color except the fourth and fifth qualities of B, C, and X groups in green color. Any lot containing 20 percent or more of crude leaves shall be designated as Nondescript.

§ 29.2637 Rule 21.

Tobacco damaged under 20 percent but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "U" after the grademark. Tobacco damaged 20 percent or more shall be designated as "No-G."

§ 29.2638 Rule 22.

Sound tobacco that is wet or in doubtful-keeping order but which otherwise meets the specifications of a grade shall be treated as a subgrade by placing the special factor "W" after the grademark. This special factor does not apply to tobacco designated as "No-G."

§ 29.2639 Rule 23.

Tobacco shall be designated as No Grade, using the grademark "No-G," when it is dirty, nested, offtype, semicured, damaged 20 percent or more, extremely wet or watered, or when it needs to be reworked, contains foreign matter, or has an odor foreign to type.

GRADES

§ 29.2661 Wrappers (A Group).

This group consists of leaves from the Heavy and Thin Leaf groups. Cured leaves of this group are elastic and show a low percentage of injury affecting wrapper yield.

U.S. grades	*Grade Names and Specifications*
A1F	Choice Medium-brown Wrappers Thin to medium body, ripe, firm, crepy to smooth, elastic, strong, bright finish, deep color intensity, spready, 90 percent uniform, and 10 percent of leaves not lower than B1 or C1.
A2F	Fine Medium-brown Wrappers Thin to medium body, ripe, firm, crepy to smooth, elastic, strong, bright finish, deep color intensity, spready, 75 percent uniform, and 25 percent of leaves not lower than B2 or C2.
A3F	Good Medium-brown Wrappers Thin to medium body, ripe, firm, crepy to smooth, elastic, strong, clear finish, moderate color intensity, spready, 60 percent uniform, and 40 percent of leaves not lower than B3 or C3.
A1D	Choice Dark-brown Wrappers Medium to heavy body, ripe, firm, crepy to smooth, elastic, strong, bright finish, deep color intensity, spready, 90 percent uniform, and 10 percent of leaves not lower than B1 or C1.
A2D	Fine Dark-brown Wrappers Medium to heavy body, ripe, firm, crepy to smooth, elastic, strong, bright finish, deep color intensity, spready, 75 percent uniform, and 25 percent of leaves not lower than B2 or C2.
A3D	Good Dark-brown Wrappers Medium to heavy body, ripe, firm, crepy to smooth, elastic, strong, clear finish, moderate color intensity, spready, 60 percent uniform, and 40 percent of leaves not lower than B3 or C3.

§ 29.2662 Heavy Leaf (B Group).

This group consists of leaves which are medium to heavy in body.

U.S. grades	*Grade Names and Specifications*
B1F	Choice Medium-brown Heavy Leaf Medium body, ripe, firm, smooth, elastic, strong, bright finish, deep color intensity, normal to spready width, 95 percent uniform, and 5 percent injury tolerance.
B2F	Fine Medium-brown Heavy Leaf Medium body, ripe, firm, crepy to smooth, elastic, strong, clear to bright finish, deep color intensity, normal width, 90 percent uniform, and 10 percent injury tolerance.
B3F	Good Medium-brown Heavy Leaf Medium body, ripe, firm, crepy, semielastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4F	Fair Medium-brown Heavy Leaf Medium body, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
B5F	Low Medium-brown Heavy Leaf Medium body, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
B1D	Choice Dark-brown Heavy Leaf Heavy, ripe, firm, smooth, elastic, strong, bright finish, deep color intensity, normal to spready width, 95 percent uniform, and 5 percent injury tolerance.
B2D	Fine Dark-brown Heavy Leaf Heavy, ripe, firm, crepy to smooth, elastic, strong, clear to bright finish, deep color intensity, normal width, 90 percent uniform, and 10 percent injury tolerance.
B3D	Good Dark-brown Heavy Leaf Heavy, ripe, firm, crepy, semielastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4D	Fair Dark-brown Heavy Leaf Heavy, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
B5D	Low Dark-brown Heavy Leaf Heavy, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
B3M	Good Mixed Color Heavy Leaf Medium to heavy body, ripe, firm, crepy, semielastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4M	Fair Mixed Color Heavy Leaf Medium to heavy body, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
B5M	Low Mixed Color Heavy Leaf Medium to heavy body, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
B3VF	Good Greenish Medium-brown Heavy Leaf Medium body, underripe, firm, crepy, semielastic, normal strength, clear finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4VF	Fair Greenish Medium-brown Heavy Leaf Medium body, underripe, close, rough to crepy, inelastic, weak, dull to clear finish, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
B5VF	Low Greenish Medium-brown Heavy Leaf Medium body, underripe, close, rough, inelastic, weak, dull finish, narrow, 60 percent uniform, and 40 percent injury tolerance.
B3G	Good Green Heavy Leaf Heavy, immature, firm, crepy, semielastic, normal strength, clear finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
B4G	Fair Green Heavy Leaf Heavy, immature, close, rough to crepy, inelastic, weak, dull to clear finish, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
B5G	Low Green Heavy Leaf Heavy, immature, close, rough, inelastic, weak, dull finish, narrow, 60 percent uniform, and 40 percent injury tolerance.

§ 29.2663 Thin Leaf (C Group).

This group consists of leaves that are thin in body.

U.S. grades	*Grade Names and Specifications*
C1L	Choice Light-brown Thin Leaf Thin, ripe, firm, smooth, semielastic, normal strength, bright finish, deep color intensity, normal to spready width, 95 percent uniform, and 5 percent injury tolerance.
C2L	Fine Light-brown Thin Leaf Thin, ripe, firm, crepy to smooth, semielastic, normal strength, clear to bright finish, deep color intensity, normal width, 90 percent uniform, and 10 percent injury tolerance.
C3L	Good Light-brown Thin Leaf Thin, ripe, firm, crepy, inelastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4L	Fair Light-brown Thin Leaf Thin, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5L	Low Light-brown Thin Leaf Thin, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
C1F	Choice Medium-brown Thin Leaf Thin, ripe, firm, smooth, semielastic, normal strength, bright

U.S. grades	Grade Names and Specifications
	finish, deep color intensity, normal to spready width, 95 percent uniform, and 5 percent injury tolerance.
C2F	Fine Medium-brown Thin Leaf Thin, ripe, firm, crepy to smooth, semielastic, normal strength, clear to bright finish, deep color intensity, normal width, 90 percent uniform, and 10 percent injury tolerance.
C3F	Good Medium-brown Thin Leaf Thin, ripe, firm, crepy, inelastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4F	Fair Medium-brown Thin Leaf Thin, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5F	Low Medium-brown Thin Leaf Thin, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
C1D	Choice Dark-brown Thin Leaf Thin, ripe, firm, smooth, semielastic, normal strength, bright finish, deep color intensity, normal to spready width, 95 percent uniform, and 5 percent injury tolerance.
C2D	Fine Dark-brown Thin Leaf Thin, ripe, firm, crepy to smooth, semielastic, normal strength, clear to bright finish, deep color intensity, normal width, 90 percent uniform, and 10 percent injury tolerance.
C3D	Good Dark-brown Thin Leaf Thin, ripe, firm, crepy, inelastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4D	Fair Dark-brown Thin Leaf Thin, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5D	Low Dark-brown Thin Leaf Thin, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
C3M	Good Mixed Color Thin Leaf Thin, ripe, firm, crepy, inelastic, normal strength, clear finish, moderate color intensity, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4M	Fair Mixed Color Thin Leaf Thin, mature, close, rough to crepy, inelastic, weak, dull to clear finish, pale color intensity, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5M	Low Mixed Color Thin Leaf Thin, mature, close, rough, inelastic, weak, dull finish, pale color intensity, narrow, 60 percent uniform, and 40 percent injury tolerance.
C3VF	Good Greenish Medium-brown Thin Leaf Thin, underripe, firm, crepy, inelastic, normal strength, clear finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4VF	Fair Greenish Medium-brown Thin Leaf Thin, underripe, close, rough to crepy, inelastic, weak, dull to clear finish, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5VF	Low Greenish Medium-brown Thin Leaf Thin, underripe, close, rough, inelastic, weak, dull finish, narrow, 60 percent uniform, and 40 percent injury tolerance.
C3G	Good Green Thin Leaf Thin, immature, firm, crepy, inelastic, normal strength, clear finish, normal width, 80 percent uniform, and 20 percent injury tolerance.
C4G	Fair Green Thin Leaf Thin, immature, close, rough to crepy, inelastic, weak, dull to clear finish, narrow to normal width, 70 percent uniform, and 30 percent injury tolerance.
C5G	Low Green Thin Leaf Thin, immature, close, rough, inelastic, weak, dull finish, narrow, 60 percent uniform and 40 percent injury tolerance.

§ 29.2664 Lugs (X Group).

This group consists of leaves that normally grow at the bottom of the stalk. Leaves of the X group usually have a high degree of maturity and show ground injury characteristic of the group.

U.S. grades	Grade Names and Specifications
X1L	Choice Light-brown Lugs Thin, mellow, firm to open, crepy, inelastic, normal strength, clear finish, moderate color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2L	Fine Light-brown Lugs Thin, mellow, firm to open, rough to crepy, inelastic, weak, dull to clear finish, pale to moderate color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3L	Good Light-brown Lugs Thin, ripe, firm, rough, inelastic, weak, dull finish, pale color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4L	Fair Light-brown Lugs Thin, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5L	Low Light-brown Lugs Thin, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X1F	Choice Medium-brown Lugs Medium body, mellow, firm to open, crepy, inelastic, normal strength, clear finish, moderate color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2F	Fine Medium-brown Lugs Medium body, mellow, firm to open, rough to crepy, inelastic, weak, dull to clear finish, pale to moderate color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3F	Good Medium-brown Lugs Medium body, ripe, firm, rough, inelastic, weak, dull finish, pale color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4F	Fair Medium-brown Lugs Thin to medium body, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5F	Low Medium-brown Lugs Thin to medium body, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X1D	Choice Dark-brown Lugs Heavy, mellow, firm to open, crepy, inelastic, normal strength, clear finish, moderate color intensity, 95 percent uniform, and 5 percent injury tolerance.
X2D	Fine Dark-brown Lugs Heavy, mellow, firm to open, rough to crepy, inelastic, weak, dull to clear finish, pale to moderate color intensity, 90 percent uniform, and 10 percent injury tolerance.
X3D	Good Dark-brown Lugs Heavy, ripe, firm, rough, inelastic, weak, dull finish, pale color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4D	Fair Dark-brown Lugs Medium to heavy body, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 70 percent uniform, and 30 percent injury tolerance.
X5D	Low Dark-brown Lugs Thin to heavy, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X3M	Good Mixed Color Lugs Thin to heavy, ripe, firm, rough, inelastic, weak, dull finish, pale color intensity, 80 percent uniform, and 20 percent injury tolerance.
X4M	Fair Mixed Color Lugs Thin to heavy, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 70 percent uniform and 30 percent injury tolerance.
X5M	Low Mixed Color Lugs Thin to heavy, mature, close to open, rough, inelastic, weak, dull finish, pale color intensity, 60 percent uniform, and 40 percent injury tolerance.
X3VF	Good Greenish Medium-brown Lugs Medium body, underripe, firm, rough, inelastic, weak, dull finish, 80 percent uniform, and 20 percent injury tolerance.
X4VF	Fair Greenish Medium-brown Lugs Thin to medium body, underripe, close to open, rough, inelastic, weak, dull finish, 70 percent uniform, and 30 percent injury tolerance.
X5VF	Low Greenish Medium-brown Lugs Thin to medium body, underripe, close to open, rough inelastic, weak, dull finish, 60 percent uniform, and 40 percent injury tolerance.
X3G	Good Green Lugs Heavy, immature, firm, rough, inelastic, weak, dull finish, 80 percent uniform, and 20 percent injury tolerance.

U.S. grades	Grade Names and Specifications
X4G	Fair Green Lugs Medium to heavy body, immature, close to open, rough, inelastic, weak, dull finish, 70 percent uniform, and 30 percent injury tolerance.
X5G	Low Green Lugs Thin to heavy, immature, close to open, rough, inelastic, weak, dull finish, 60 percent uniform, and 40 percent injury tolerance.

§ 29.2665 Nondescript (N Group).

Extremely common tobacco which does not meet the minimum specifications or which exceeds the tolerance of the lowest grade of any other group.

U.S. grades	Grade Names and Specifications
N1L	First Quality Light Colored Nondescript Thin to medium body and 60 percent injury tolerance.
N1D	First Quality Dark Colored Nondescript Medium to heavy body and 60 percent injury tolerance.
N1G	First Quality Crude Green Nondescript 60 percent crude leaves or injury tolerance.
N2	Substandard Nondescript Nondescript of any group or color; over 60 percent crude leaves or injury tolerance.

§ 29.2666 Scrap (S Group).

A byproduct of unstemmed and stemmed tobacco. Scrap accumulates from handling tobacco in farm buildings, warehouses, packing and conditioning plants, and stemmeries.

U.S. grades	Grade Name and Specifications
S	Scrap Loose, tangled, whole, or broken unstemmed leaves, or the web portions of tobacco leaves reduced to scrap by any process.

SUMMARY OF STANDARD GRADES

§ 29.2686 Summary of standard grades.

6 Grades of Wrappers

A1F A1D
A2F A2D
A3F A3D

19 Grades of Heavy Leaf

B1F B1D
B2F B2D
B3F B3D B3M B3VF B3G
B4F B4D B4M B4VF B4G
B5F B5D B5M B5VF B5G

24 Grades of Thin Leaf

C1L C1F C1D
C2L C2F C2D
C3L C3F C3D C3M C3VF C3G
C4L C4F C4D C4M C4VF C4G
C5L C5F C5D C5M C5VF C5G

24 Grades of Lugs

X1L X1F X1D
X2L X2F X2D
X3L X3F X3D X3M X3VF X3G
X4L X4F X4D X4M X4VF X4G
X5L X5F X5D X5M X5VF X5G

4 Grades of Nondescript

N1L N1D N1G
N2

1 Grade of Scrap

S

Special factors "U" and "W" may be applied to all grades.

Tobacco not covered by the standard grades is designated as No-G.

U.S. Standard sizes applicable

A1-A2	45, 46
A3	45, 46, 47
B1-B2	44, 45, 46
B3-B5	43, 44, 45, 46, 47
C1-C2	44, 45, 46
C3-C5	43, 44, 45, 46, 47

KEY TO STANDARD GRADEMARKS

§ 29.2696 Key to standard grademarks.

Groups	Qualities	Colors
A—Wrappers	1—Choice	L—Light brown
B—Heavy Leaf	2—Fine	F—Medium brown
C—Thin Leaf	3—Good	D—Dark brown
X—Lugs	4—Fair	M—Mixed
N—Nondescript	5—Low	VF—Greenish medium brown
S—Scrap		G—Green

(49 Stat. 734; 7 U.S.C. 511m)

Done at Washington, D.C., this 24th day of August 1960.

ROY W. LENNARTSON,
Deputy Administrator,
Agricultural Marketing Service.

[F.R. Doc. 60-8030; Filed, Aug. 29, 1960; 8:47 a.m.]

[7 CFR Part 918]

MILK IN THE MEMPHIS, TENN., MARKETING AREA

Notice of Proposed Termination of Certain Provisions of the Order

Notice is hereby given that, pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), the termination of certain provisions of the order regulating the handling of milk in the Memphis, Tennessee, marketing area is being considered.

The provisions proposed to be terminated are §§ 918.72, 918.80, 918.81, 918,82, and 918.83, and in § 918.91(b) the provision "for such handler for the months of August through February, and such payments to be for base and excess milk at not less than the uniform base and excess prices, respectively, computed pursuant to § 918.72 for such handler for other months."

The Mid-South Milk Producers Association and Madison County Milk Producers Association who represent approximately 90 percent of the producers supplying the market have requested that the base-excess plan of the order be terminated. The plan has no effect on minimum prices required to be paid by handlers. It establishes a method of distributing the total payments by handlers among producers according to their different seasonal patterns of milk production. Timely action on the request can be accomplished through termination of the provisions cited. Opportunity is hereby afforded all interested parties to submit written data, views and arguments with respect to the proposed termination.

All persons who desire to submit written data, views or arguments in connection with the proposed termination should file the same with the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., not later than 10 days from the date of publication of this notice in the FEDERAL REGISTER. All documents filed should be in quadruplicate.

Issued at Washington, D.C., this 24th day of August 1960.

CLARENCE L. MILLER,
Assistant Secretary.

[F.R. Doc. 60-8031; Filed, Aug. 29, 1960; 8:48 a.m.]

[7 CFR Part 1003]

DOMESTIC DATES PRODUCED OR PACKED IN A DESIGNATED AREA OF CALIFORNIA

Notice of Proposed Rule Making With Respect to Establishing Free, Restricted, and Withholding Percentages for the 1960–61 Crop Year

Notice is hereby given that the establishment of free, restricted, and withholding percentages is being considered for the 1960–61 crop year beginning August 1, 1960. The proposed percentages, for application to marketable dates of the Deglet Noor, Zahidi and Khadrawy varieties, would be established in accordance with the provisions of Marketing Agreement No. 127, as amended, and Order No. 103, as amended (7 CFR Part 1003), regulating the handling of domestic dates produced or packed in a designated area of California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The proposed percentages were recommended by the Date Administrative Committee, established under the amended marketing agreement and order.

Consideration will be given to any written data, views, or arguments pertaining thereto which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., not later than the eighth day after the date of publication of this notice in the FEDERAL REGISTER. Such material should be submitted in triplicate.

The proposed percentages are based on the following estimates of the Date Administrative Committee:

[1,000 pounds]

Factors	Deglet Noor	Zahidi	Khadrawy
1. Uncertified handler carryover (July 31, 1960)	7,038	63	35
2. Production of marketable dates (1960-61 crop year)	32,400	650	1,330
3. Total available supply of marketable dates subject to regulation	39,438	713	1,365
4. Trade demand [1]	25,500	650	1,300
5. Plus: Desirable handler carryover (July 31, 1961)	8,000	100	100
6. Less: Certified handler carryover (July 31, 1960)	5,335	63	2
7. Requirements for free dates	28,165	687	1,398
8. Marketable dates in excess of requirements for free dates (item 3 minus item 7)	11,273	26	−33

[1] The Date Administrative Committee included the following countries in its determination of trade demand: Austria, Belgium, British Isles, Canada, Denmark, France, Germany, Iceland, Ireland, Italy, Netherlands, Norway, Portugal, Spain, Sweden, Switzerland, United States, and Venezuela.

The indicated free poundage of Deglet Noor dates is 71.42 percent of the estimated total available supply of such variety of dates subject to regulation. The committee unanimously recommended that the free percentage be rounded to 72 percent, making the restricted percentage 28 percent and the withholding percentage 38.9 percent.

The estimates for the Zahidi and Khadrawy varieties of dates do not indicate the need for establishing the respective free percentages for marketable dates of such varieties at a percentage less than 100 percent. As a result, the volume of dates of such varieties would not be restricted.

The proposal is as follows:

§ 1003.208 Free, restricted, and withholding percentages.

The free percentage, restricted percentage, and withholding percentage of marketable dates for each variety shall be, for the crop year beginning August 1, 1960, and ending July 31, 1961, as follows: (a) Deglet Noor variety dates: Free percentage, 72 percent; restricted percentage, 28 percent; and withholding percentage 38.9 percent; (b) Zahidi variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent; and (c) Khadrawy variety dates: Free percentage, 100 percent; restricted percentage, 0 percent; and withholding percentage, 0 percent.

Dated: August 24, 1960.

S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F.R. Doc. 60-8032; Filed, Aug. 29, 1960; 8:48 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

Small Tract Classification Orders 82, 85, and 111 Cancelled in Their Entirety

AUGUST 22, 1960.

By virtue of the authority contained in the act of June 1, 1938 (52 Stat. 609; 43 U.S.C. 682a), as amended, and pursuant to the authority delegated to me by Bureau of Land Management Order No. 541 dated April 21, 1954 (19 F.R. 2473), as amended it is hereby ordered that effective at 10:00 a.m. on August 24, 1960, the following Small Tract Classification Orders are cancelled in their entirety:

(a) No. 82 of May 14, 1954;
(b) No. 85 of June 30, 1954;
(c) No. 111 of May 28, 1956.

This order affects 138 tracts aggregating approximately 503.49 acres.

WARNER T. MAY,
Operations Supervisor,
Juneau.

[F.R. Doc. 60-8025; Filed, Aug. 29, 1960; 8:47 a.m.]

[W-068665]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

AUGUST 23, 1960.

The Forest Service, Department of Agriculture, has filed an application, Serial No. Wyoming 068665, for withdrawal of the lands described below from location and entry under the general mining laws of the United States.

The applicant desires the lands for campgrounds, and other recreational areas.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the State Supervisor of the Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING

MEDICINE BOW NATIONAL FOREST

Battle Creek Campground

T. 13 N., R. 87 W.,
Sec. 15, NW¼NE¼SE¼, SE¼NW¼SE¼, S½NE¼SE¼.

Bottle Creek Campground

T. 14 N., R. 85 W.,
Sec. 13, SW¼SW¼SE¼, SE¼SE¼SW¼;
Sec. 24, NE¼NE¼NW¼, NW¼NW¼NE¼.

Deep Creek Campground

T. 17 N., R. 79 W.,
Sec. 9, S½SE¼NE¼, N½NE¼SE¼, SW¼NE¼SE¼.

Jack Creek Campground

T. 15 N., R. 87 W.,
Sec. 12, W½NE¼SE¼, NW¼SE¼SE¼.

Lincoln Park Campground

T. 16 N., R. 81 W.,
Sec. 8, NE¼NE¼;
Sec. 9, W½NW¼NW¼.

Little Sandstone Campground

T. 14 N., R. 87 W.,
Sec. 33, S½SE¼NW¼, N½NE¼SW¼.

Lost Creek Campground

T. 14 N., R. 86 W.,
Sec. 33, SW¼NE¼NW¼, SE¼NW¼NW¼, SW¼NW¼, W½SE¼NW¼.

Pickaroon Campground

T. 13 N., R. 80 W.,
Sec. 6, Lot 5, NW¼SE¼NW¼.

Pike Pole Campground

T. 14 N., R. 80 W.,
Sec. 31, E½SE¼SW¼, W½SW¼SE¼, NE¼SW¼SE¼.

Six Mile Gap Campground

T. 12 N., R. 80 W.,
Sec. 4, SW¼NW¼NW¼;
Sec. 5, N½NE¼NE¼, SE¼NE¼NE¼.

Containing 475.82 acres more or less.

EUGENE L. SCHMIDT,
Lands and Minerals Officer.

[F.R. Doc. 60-8022; Filed, Aug. 29, 1960; 8:46 a.m.]

Southwestern Power Administration

CONTRACTS FOR PROCUREMENT AND DISPOSAL OF PROPERTY AND RELATED MATTERS

Delegations of Authority

The following material is a portion of the Administration's General Order Manual and the numbering system is that of the Manual:

SPA General Order No. 195

SECTION 1. *Revocation.* SPA General Orders No. 109-A (19 F.R. 5991); No. 136 (20 F.R. 7615); and No. 171 (23 F.R. 7826), are hereby revoked.

SEC. 2. *Authority.* This order is issued pursuant to the authority granted by the Secretary of the Interior in Order No. 2509, as amended (17 F.R. 6793; 19 F.R. 433; 19 F.R. 7417); Order No. 2642, as amended (16 F.R. 6318; 19 F.R. 7417); Order No. 2830 (23 F.R. 7127); 200 DM 3.2 (25 F.R. 324); and 205 DM 5.1.

SEC. 3. *Purpose.* To delegate authority for the execution of contracts for the procurement of supplies, services, or construction; for the acquisition of real property and interests in real property; for the lease of physical facilities; and for the disposal of surplus real and personal property.

SEC. 4. *Contracts.* The Chief, Division of Administrative Services; the Chief, Branch of Office Services; the Supply Officer; and the Procurement Assistant, shall act as Contracting Officers and are authorized to:

(a) Enter into and terminate contracts for supplies, services, or construction; for the acquisition of real property and interests in real property; for lease of physical facilities; and for the disposal of surplus real and personal property.

(b) Issue work orders to initiate work, and issue change orders to modify contracts, except that change orders to a contract involving an estimated increase of more than twenty-five hundred dollars ($2500) requires the written approval of the Administrator.

(c) Issue orders for publication of advertisements, notices, or proposals pursuant to section 3828 of the Revised Statutes (44 U.S.C. 324).

SEC. 5. *Purchases.* Foremen, Clerks (maintenance depot), the Chief Dispatcher, and Construction Engineers, are authorized to purchase supplies and nonpersonal services, in amounts not to exceed five-hundred dollars ($500), through utilization of U.S. Government Purchase Order-Invoice-Voucher (S.F. 44), or blanket purchase arrangements.

SEC. 6. *Limitation.* The authorities delegated herein may not be redelegated.

DOUGLAS G. WRIGHT,
Administrator.

AUGUST 23, 1960.

[F.R. Doc. 60-8041; Filed, Aug. 29, 1960; 8:49 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

WASHINGTON

Designation of Area for Production Emergency Loans

For the purpose of making production emergency loans pursuant to section 2(a) of Public Law 38, 81st Congress (12 U.S.C. 1148a-2(a)), as amended, it has been determined that in Spokane County, Washington, a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named county after June 30, 1961, except to applicants who previously received such assistance

and who can qualify under established policies and procedures.

Done at Washington, D.C., this 25th day of August 1960.

E. T. BENSON,
Secretary of Agriculture.

[F.R. Doc. 60-8040; Filed, Aug. 29, 1960; 8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 11714]

PHILIPPINE AIR LINES, INC.

Notice of Prehearing Conference

In the matter of the application of Philippine Air Lines for a foreign air carrier permit to operate between the Philippines and San Francisco via Tokyo and Honolulu.

Notice is hereby given that a prehearing conference in the above-entitled proceeding is assigned to be heard on September 7, 1960, at 10:00 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner John A. Cannon.

Dated at Washington, D.C., August 25, 1960.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 60-8039; Filed, Aug. 29, 1960; 8:49 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27-11]

NUCLEAR-CHEM DISPOSAL CORP.

Proposed Issuance of Byproduct and Source Material License

Please take notice that Nuclear-Chem Disposal Corporation, 811 West Merrick Road, Valley Stream, Long Island, New York, has applied for a license to receive and store byproduct and source material waste only at their facility at the foot of Strickland Avenue, Brooklyn, New York, and to transfer said material to Oak Ridge National Laboratory, Oak Ridge, Tennessee, for land burial. Under the requested license Nuclear-Chem Disposal Corporation would not possess more than 100 curies of any byproduct material having atomic numbers between 3 and 83, 2,000 curies of hydrogen 3 and 1,000 pounds of source material at any one time.

The AEC has reviewed the application and proposes to grant the license subject to appropriate limitations, including limiting to 1,000 curies the amount of hydrogen 3 to be possessed at any one time, unless within fifteen (15) days after filing of this notice with the Federal Register Division, a petition to intervene and a request for a formal hearing is filed with the Commission in the manner prescribed in Title 10, Code of Federal Regulations, Chapter 1, Part 2, Rules of Practice.

For further details see (1) the application submitted by the Nuclear-Chem Disposal Corporation and amendments thereto and (2) a memorandum prepared by the Division of Licensing and Regulation summarizing the considerations evaluated prior to the proposed issuance of the license, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of (2) above may be obtained at the Commission's Public Document Room or by request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., August 23, 1960.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Licensing and Regulation.

[F.R. Doc. 60-8010; Filed, Aug. 29, 1960; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13536; FCC 60M-1436]

PHILIP D. BOOTHROYD

Order Continuing Hearing

In the matter of Philip D. Boothroyd, RD No. 1, Box 142G, Sparta, New Jersey, Docket No. 13536; application for renewal of radiotelephone first class operator license No. P1-2-7801.

The Hearing Examiner having under consideration the above-entitled proceeding and the matter of re-scheduling the hearing herein which was continued without date by order of July 13, 1960;

It appearing that all parties herein desire the proceeding to be continued further without date, pending final determination of litigation in the matter of Morton Borrow v. Federal Communications Commission; [1]

It is ordered, This 23d day of August 1960, that the hearing is further continued without date and counsel herein for the Commission are directed to notify the Hearing Examiner as soon as the above litigation has been finally determined in order that a new date may be scheduled.

Released: August 24, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-8037; Filed, Aug. 29, 1960; 8:48 a.m.]

[Docket No. 13288; FCC 60M-1435]

EVANSTON CAB CO.

Order Continuing Hearing

In re application of Evanston Cab Company, Docket No. 13288, File No. 34460-LX-59; for authorization to operate a base station in the Taxicab Radio Service in Chicago, Ill.

[1] Case No. 15473 in the United States Court of Appeals for the District of Columbia Circuit.

The Hearing Examiner having under consideration a "Petition for Change in Hearing Date" filed on August 22, 1960, by applicant Evanston Cab Company, requesting that the dates heretofore scheduled for the commencement of hearing and the exchange of exhibits (September 13 and September 7, 1960, respectively) be continued to dates to be specified by the Examiner at a hearing conference to be held in mid-September, 1960, or subsequent thereto, consistent with the Examiner's docket;

It appearing that on July 25, 1960, the Commission released a notice of proposed rule making in Docket No. 13690 proposing, in fact, to limit the establishment of base stations in the Taxicab Radio Service to those areas within which the taxicab units of an applicant would be permitted both to pick up and discharge passengers; and

It further appearing that in the event the proposed rule making is adopted, there would be substantial question as to whether it would be construed to prevent the establishment of the base station involved in the instant proceeding, and therefore the action of the Commission would have a direct effect upon whether the application should be pursued at all; and

It further appearing that Evanston Cab Company will participate in Docket No. 13690 and present comments to the Commission in connection with the matters raised therein, and that it would be desirable to defer the commencement of the hearing until the comments in Docket No. 13690 have been received and considered; and

It further appearing that the counsel for the Commission's Safety and Special Radio Services Bureau has consented to the request of applicant as set forth in the above-described petition, and that good cause has been shown for granting said petition;

Accordingly, it is ordered, This 23d day of August 1960, that the "Petition for Change in Hearing Date" of Evanston Cab Company is granted, and the dates heretofore scheduled for the exchange of exhibits and commencement of the hearing are continued, pending Commission action in Docket No. 13690, to later dates to be specified by the Hearing Examiner at an appropriate future time.

Released: August 24, 1960.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 60-8038; Filed, Aug. 29, 1960; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP60-50 etc.]

TRANSWESTERN PIPELINE CO. ET AL.

Notice of Applications and Date of Hearing

AUGUST 23, 1960.

In the matter of Transwestern Pipeline Company, Docket No. CP60-50; Charles P. Miller, Docket No. CI60-297; H. J.

Mosser, Operator, Docket No. CI60–404; G. D. Putnam, Operator, Docket No. CI60–411; Texas Crude Oil Company, Docket No. CI60–473.

Take notice that the above Applicants have filed applications pursuant to section 7 of the Natural Gas Act, for certificates of public convenience and necessity authorizing the sales of natural gas and the construction and operation of facilities for receiving and transporting natural gas in interstate commerce as hereinafter described subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection.

On March 7, 1960, as supplemented April 4, 1960, Transwestern Pipeline Company (Transwestern) filed in Docket No. CP60–50 an application for a certificate of public convenience and necessity authorizing the construction and operation of (1) approximately 7 miles of 6-inch lateral pipeline, together with appurtenances, extending in a northwesterly direction from a point of connection with its existing 24-inch Panhandle lateral to a point in the Newmill Field, Chaves County, New Mexico, in order to purchase and receive natural gas produced by Charles P. Miller (Miller) and (2) approximately 18.6 miles of 4-inch lateral supply pipeline extending in a northeasterly direction from a point of connection with its existing 20-inch West Texas lateral to a point in the Putnam and Chenot Fields, Pecos County, Texas in order to purchase and receive natural gas produced by H. J. Mosser (Mosser), G. D. Putnam (Putnam) in the Putnam Field, and Texas Crude Oil Company (Texas Crude) in the Chenot Field. The total cost of both laterals is estimated at $372,000, which cost will be financed out of presently available capital.

Miller, Mosser, Putnam and Texas Crude, on March 8, 1960, March 30, 1960, March 31, 1960, and April 13, 1960, respectively filed applications to sell natural gas to Transwestern as described above. The respective contracts provide for an initial price of 16.0 cents per Mcf at 14.65 psia subject to a downward Btu adjustment.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on September 27, 1960 at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: Provided, however, that the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 12, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60–8017; Filed, Aug. 29, 1960; 8:45 a.m.]

[Docket No. RI60–435]

UNION PRODUCING CO.

Correction

AUGUST 24, 1960.

In the Order Providing for Hearing on and Suspension of Proposed Changes in Rates, issued June 24, 1960: In the second full paragraph on page two (F.R. Doc. 60–6094; 25 F.R. 6226, sixth paragraph) delete all references to "Docket No. G–18634" and insert in lieu thereof "Docket No. G–18354."

MICHAEL J. FARRELL,
Acting Secretary.

[F.R. Doc. 60–8018; Filed, Aug. 29, 1960; 8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70–3899]

PHILADELPHIA CO. AND STANDARD GAS AND ELECTRIC CO.

Notice of Proposed Renewal of Promissory Note

AUGUST 24, 1960.

Notice is hereby given that Standard Gas and Electric Company ("Standard Gas"), a registered holding company, and Philadelphia Company ("Philadelphia"), a subsidiary of Standard Gas and also a registered holding company, has filed with this Commission a joint application-declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, 9, and 10 thereof as applicable to the proposed transaction, which is summarized as follows:

Philadelphia will issue and deliver to Standard Gas a renewal promissory note in replacement of a promissory note in the principal amount of $2,065,000 which will mature on September 10, 1960. The renewal note, in the same principal amount, will bear interest at the prime interest rate prevailing for short-term commercial bank loans at the date of the new note, and will mature September 10, 1961, with the right of the issuer to anticipate at any time without penalty the payment of all or any part of the principal thereof.

The filing states that no State commission and no Federal regulatory commission, other than this Commission, has jurisdiction over the proposed transaction.

It is also stated that no fees or commissions will be paid or incurred in connection with the proposed transaction and that the expenses, if any, will be nominal in amount.

Notice is further given that any interested person may, not later than September 8, 1960, at 5:30 p.m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law proposed to be controverted; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D.C. At any time after said date said joint application-declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules as provided in Rules 20(a) and 100, or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 60–8023; Filed, Aug. 29, 1960; 8:46 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

AUGUST 25, 1960.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 36506: *Phosphate rock—Florida Mines to Hamilton, Ont.* Filed by O. W. South, Jr., Agent (SFA No. A4008), for interested rail carriers. Rates on crude phosphate rock, other than ground, in carloads, from Bartow, Fla., and other Florida producing points, to Hamilton, Ont., Canada.

Grounds for relief: Rail-water competition.

Tariff: Supplement 164 to Southern Freight Association tariff I.C.C. 1514.

FSA No. 36507: *Asphalt—Montana points to Wisconsin.* Filed by Trans-Continental Freight Bureau, Agent (No. 371), for interested rail carriers. Rates on asphalt, in tank-car loads, as described in the application, from Billings, East Billings, Great Falls and Laurel, Mont., to specified points in Wisconsin.

Grounds for relief: Market competition.

Tariff: Supplement 79 to Trans-Continental Freight Bureau tariff I.C.C. 1604.

FSA No. 36508: *Iron or steel scrap—Josephtown, Pa., to Calvert, Ky.* Filed by Traffic Executive Association-Eastern Railroads, Agent (ER 2554), for interested rail carriers. Rates on iron or steel scrap, in carloads, as described in the application, from Josephtown, Pa., to Calvert, Ky.

Grounds for relief: Market competition.

Tariff: Supplement 172 to Traffic Executive Association-Eastern Railroads tariff I.C.C. A–1079 (Boin series).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60–8033; Filed, Aug. 29, 1960; 8:48 a.m.]

[Notice 372]

MOTOR CARRIER TRANSFER PROCEEDINGS

AUGUST 25, 1960.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 63083. By order of August 19, 1960, Division 4, acting as an Appellate Division, approved the transfer to Carney Bros. Trucking, Inc., Brocton, Massachusetts, of a portion of Corrected Certificate in No. MC 55898, issued June 1, 1954, to Harry A. Decato and Eugene J. Decato, a partnership, doing business as Decato Bros. Trucking Co., Lebanon, New Hampshire, which authorizes the transportation of wooden poles and wooden piling, over irregular routes, from points in New Hampshire, not including points in Grafton County, N.H., to points in Massachusetts and Rhode Island. Francis E. Barrett, 7 Water Street, Boston 9, Mass.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 60–8034; Filed, Aug. 29, 1960; 8:48 a.m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration

DELEGATIONS OF FINAL AUTHORITY

Section II, Delegations of Final Authority, is amended as follows:

1. Paragraph E3 is amended by changing the semi-colon following the word "advertisements" to a period and deleting the clause "and to issue Government Bills of Lading (Standard Form 1103)."

2. Paragraph E4 is added as follows:

4. To issue Government Bills of Lading (Standard Form 1103).

Assistant Commissioner for Administration.
Director of the Office Services Branch.
Chief, General Supply and Reproduction Section.
Regional Directors.
Chiefs of the Office Services Sections.

Approved: August 19, 1960.

BRUCE SAVAGE, *Commissioner.*

[F.R. Doc. 60–8019; Filed, Aug. 29, 1960; 8:46 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

JOHN A. CLAUSSEN

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: None.
B. Additions: None.

This statement is made as of August 23, 1960.

JOHN A. CLAUSSEN.

AUGUST 23, 1960.

[F.R. Doc. 60–8035; Filed, Aug. 29, 1960; 8:48 a.m.]

JAMES P. WHITLOCK

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b)(6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: None.
B. Additions: None.

This statement is made as of July 30, 1960.

JAMES P. WHITLOCK.

AUGUST 19, 1960.

[F.R. Doc. 60–8036; Filed, Aug. 29, 1960; 8:48 a.m.]

CUMULATIVE CODIFICATION GUIDE—AUGUST

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